

'Communication and Community: A Thomistic Rationality.'

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## Abstract.

My thesis is a description of the structure of rationality and morality. It does not argue for one conception of rationality against others, but argues that all conceptions of rationality are the result of participation in a basic sort of activity - theoretical activity - which I understand as the fundamental exercise of reason. It is in terms of this, deeper, activity of reason that all individual conceptions of rationality can be explained, even though rational behaviour is explained not in terms of it, but by the particular conception of rationality of the agent. Consequently, I oppose only conceptions of rationality which are 'absolutist': which imply that rational behaviour can only be behaviour justified by their principles, and never behaviour justified by the principles of conceptions of rationality arrived at through different exercises of theoretical activity.

Since rationality is participation in forms of theoretical activity concerning principles by those whose principles they are, the basis of rationality is the shared life in which principles are learned and the kinds of intellectual activity in which they are confirmed and/or revised: community and communication. These features are also the basis of morality which is communication concerning concrete situations within particular communities. Morality differs from rationality because the sort of communication it involves is not a means to establishing principles, but the end of this. Morality has a goal, then, and it has two aspects: an understanding component, ethics, and an experiential component, love.

Chapter 1 analyses Aristotle's Final Good and concept of dialectic. I explain how rational behaviour can be both based on First Principles directed to a determinate end, and pursued through involvement with community, political, norms. The determinate good is dependent upon contingently structured, shared norms. Chapter 2 analyses Aquinas's Natural Law and the structure of practical reason and of the Summa. This indicates how the precepts of Natural Law are compatible with, and require participation in, intellectual enquiries in which current orthodoxy is constantly questioned.

These non-absolutist readings of Aristotle and Aquinas are balanced in Chapter 3 by the deficiencies of the absolutist Natural Law of William Blackstone and John Finnis. The criticism of rational absolutism is continued in Chapter 4 with an account of the defects of Kant's practical rationality, and in Chapter 5 which surveys utilitarianism and other contemporary moral philosophy. This leads to my own account of morality as social practice, and its relation to ethics in terms of understanding and experience.

Chapter 6 defends my view of rationality against contemporary functionalist and agent-centred alternatives. Chapter 7 defines the terms in which communication and community have been explained, explains the relation of morality to rationality, and describes the structure of practical reasoning.



This thesis has been composed by me and is my own work.

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'...hence new customs can arise having the force of law. For such exterior actions, frequently repeated, effectively declare the interior movement of the will and the concept of reason.'

St. Thomas Aquinas, Summa Theologiae, 1-2, 97, 3, c.

## Introduction.

This thesis is an account of rationality. It claims that an account of rationality must rest squarely upon two concepts, communication and community. Given the history of the philosophical treatment of rationality, it is by examining theories of practical rationality that I will be able to argue for the centrality of communication and community. It is in such theories, and not in more formal or technical treatises of 'theoretical' rationality, that these two concepts are discussed, and as I will argue that these concepts are necessary to an understanding of rationality, it is by detailed examination of theories of practical rationality that I will construct my account of rationality.

My thesis is that every theory of rationality concerns facts and presuppositions of particular cultures and social contexts, but that it is possible to give an account of what rationality is which is not an account based upon cultural and contextual norms, but an account which is universal for human beings, and which is based upon the concepts of communication and community. This account explains theories of rationality by showing that they are themselves paradigmatic instances of rationality: rationality, explained in terms of communication and community, is a form of activity, what I call theoretical activity, which produces such things as theories of rationality; these theories of rationality will reflect the prevailing norms of the communities within which the theoretical activity is being pursued. Thus, although it is not possible to judge individual theories of rationality except with reference to internal, ultimately social, criteria of relevance and adequacy, it is possible to judge whether or not they are theories of rationality with respect to the account, which I shall give, of what rationality is.

As I am here not only presenting this idea but arguing for it, my study will inevitably possess elements of an analytic theory of rationality, namely that relevant to my own upbringing and education, and elements of historical/critical interpretations of other concepts of rationality, those I choose to consider. My argument, then, will proceed by methods derived from the conception of rationality by which I and those around me explain our behaviour, and by critical interpretations of alternative conceptions of rationality. Given what my thesis is and the fact that I want to argue for it, I can see no alternative methodology to this. Any tension between my inevitable and parochial concentration on the conception I find around me and those others I choose to discuss on the one hand and my suggested account that what rationality is is something universal for all human communities on the other should be clarified by the one particular historical theory of rationality I take as privileged above all others, not in respect of its own principles, but because of its acknowledgement of the need for a deeper understanding of what rationality is than that provided by theories of rationality, including itself.

By distinguishing the particular theory of rationality of Thomas Aquinas from what I claim to be his more fundamental understanding of what rationality is - an understanding based on the concepts of communication and community - I have a model for my own project of

giving an account of rationality and not just one more theory of rationality. And in his method of reflection on one's 'own' theory and historical/critical interpretation of the best alternatives to it, I find not just a method for constructing a twentieth century theory of rationality, but a model for an account of what rationality is. It will emerge that the parochial methodology is not only the inevitable means of presenting my account, but also very much the substance of my account of rationality.

I believe that this centrality of communication and community is not centrality within our understanding of one particular sphere or attribute of human life: it is centrality to understanding of human life in total. If these concepts are required for full understanding of human beings, rationality, which depends on them, cannot be simply one more human attribute or capacity: it is rather the ultimate intelligibility or form of human life.

This is a very traditional sounding conclusion, yet my view of rationality does not accord with traditional foundationalist-realist theories but with what Rorty has called theories of solidarity (R. Rorty, 'Objectivity or Solidarity?' in eds. J. Rachmann and C. West, Post-Analytic Philosophy). That is, it is influenced by the thought of Wittgenstein, Kuhn, Feyerabend, Habermas, Rorty and the climate of anti-foundationalism. These names, however, do not appear in my thesis. My concern is to construct a philosophy within this mode but which finds its roots within the Aristotelian and Thomist traditions; to suggest, as MacIntyre has done, that parts of this tradition are useful in the anti-foundationalist cause, in particular the vision of rationality as the basic human condition, though not of any theory of rationality as foundationally or metaphysically privileged; and to advance an account of morality which is both acceptable to the anti-foundationalist yet preserves what I believe to be a vital insight of the traditional view: the belief that there is a persistent level of value beyond particular moralities, and that there is moral truth (even if there is no other objective truth), defined as correspondence of moralities with this level. I call this level ethics.

My conclusion is traditional sounding because of its intentional historical basis, and because it preserves the traditional views of rationality as definitive of humanity and morality as giving access to certain value. It is not acceptable to a traditionalist, however, because it holds rationality is a form of activity and that the rational first principles, the particular theories of rationality, this activity creates may all be completely revised or rejected by further activity; and because it holds that moralities may fail to express the basic, certain values - may be false - though there is no access to ethical value except through the morality within which I happen to find myself.

The way in which our western philosophical tradition - the tradition which is post-Homeric, post-Platonic, post-Augustinian and post-Kantian - has unfolded means that the concepts of communication and community should be easiest illustrated through the intersection of historical theory of reason and theory of morality: practical rationality. These two vital elements of a human life have been too often bracketed off as mere capacities or aspects of life by philosophical writers rather than treated as the forms of human

life. To recover the true picture of human life as rationality, and, secondarily, morality, we must first choose a definite critical strategy for recovering the concepts of communication and community from historical theory of practical rationality. This will isolate these concepts in a foundational role, allowing me to start upon an account of rationality based upon their structure.

My method will be to explain in the context of the Aristotelian background and against the alternatives of Kantian and utilitarian rationalities the relation between the theory of practical reason, the doctrine of Natural Law, of Thomas Aquinas and his own more fundamental understanding of what rationality is. This exposition will show how it is possible both to have a theory of rationality the first principles of which are determined by the factors of one's time, circumstances, cultural factors and so on, and to have a belief in a more fundamental rationality consisting in the primary, and the highest, activity of a human being: to communicate and doing so, to construct, as well as to exercise, conceptions of rationality. Having exposed communication and community in this way, I will go on to construct the account of rationality as theoretical activity. Rationality is a form of activity because it consists in communication; and it is theoretical, in a sense which I will derive from Aquinas, because it is communication by means of the intelligent application of learned norms. These two characteristics of activity and the theoretical are the materials for the content of my account of rationality.

As a form of activity rationality is intimately related to morality (the historical philosophers were not wrong when they explained morality as practical reason). Morality is related to rationality not as one, or the highest, application of it, but because finite rational beings have needs and these needs stand in logical relations to goods which constitute the prerequisites of any system of morality. As theoretical activity rationality is necessarily a constant recreation of the community norms it applies. I provide explanations of activity and theory which explain the 'revolutionary' nature of any piece of rational behaviour. If behaviour is rational, it cannot consist merely in application of rules: it must stretch in the very application of them, at least towards a justification of them; at most towards their replacement. In this introduction I provide an overview of the study, but it may be useful first to summarise the two ways in which it may be read. In both of these the position I take on Aquinas is the most important factor. First, it can be explained as a two-section work. In the first section the centrality of the notion of dialectic in theory of rationality and theory of morality within a certain stream of thought (Aristotle/Aquinas/Natural Law tradition) is examined and defended against alternative non-dialectical theories within our philosophical tradition; in the second section this centrality is explicitly assigned to the notions of communication and community which the historical conception of dialectic clarifies, and these notions are analysed.

Secondly, the study can be explained in three parts: part one attempts to deflect the reading of Aristotle and Aquinas as 'non-perspectivist' or foundationalist thinkers by emphasising the dialectical nature of their thought at the expense of their status as theorists of rationality and morality from first principles; part



two considers two forms of philosophical thought which do suggest we can construct theories of rationality and morality from first principles, and criticises both these theories and this conception of theory; part three a/ suggests a way of understanding morality which involves taking seriously the nature of love, interpreting this as communication, and interpreting community as striving at the level of everyday affairs (morality) to achieve communication of individuals as individuals (ethics: an aspect of love), and b/ suggests that though we cannot produce a universally valid theory of rationality, we can produce a detailed account of the sort of activity rationality is (theoretical activity) and the sort of risks it involves for finite creatures (needs), and thereby a foundation for practical reasoning.

In both of these explanations Aquinas is central. It is the particular way in which he harmonises his own theory of rationality (God, objects of natural inclinations and first principles of practical reason) with dialectical enquiry into others which suggests to me the notion of a pre-theoretical account of rationality and the method for establishing community and communication as the basis of this account. And it is this harmonisation which suggests to me the possibility of a middle-position between universal first principles of rationality and relativist rationality of cultural norms; a middle-position which acknowledges the specificity and independence of particular theories of rationality, but sees them all as expressions of a deeper rationality which all human beings share: the ability to communicate intelligently, to exercise and to recreate standards of rationality, and so to function as part of a community. This middle-position seems to me to characterise Aristotle's ethics, Aquinas's theory of human nature, and the best of Natural Law tradition.

The reason for beginning with Aristotle is not only the obvious background importance of his ethics for Aquinas's theory of practical reason, but my belief that in his ethics we have the example of an account of what rationality is, in terms of elements similar to those of Aquinas; a particular and coherent theory of practical rationality; and that we see these related in a particularly brilliant way. My explanation of this relation should explain how Aristotle avoids the poles of moral absolutism and moral relativism. This middle position, I claim, is the same position as that of Aquinas.

Absolutism is the greatest error in conceptions of rationality, and in all normative conceptions, for the purposes of this thesis. Absolutism I understand as anti-perspectivism. If perspectivism is the thesis that no normative claims may be valid because of conditions which make no reference to the particular context or the contingent circumstances of the claimant, anti-perspectivism is the thesis that the validity of normative claims may rest in conditions which make no reference to the context or contingent circumstances of the claimant. This is what I understand as absolutism. It is a view which has been, and sometimes is, held, particularly by the Catholic Church, concerning the ethics of Aristotle and the moral philosophy of Thomas Aquinas. Part of the work of my thesis is to show that these are not absolutist theories. Further work would be to show that this conclusion should

not dismay admirers of the theories of practical rationality of Aristotle and Aquinas.

I summarise and discuss the argument of Nicomachean Ethics concerning eudaimonia and the ergon, the division of the soul, the deduction of practical wisdom and the concept of the phronimos. I give an account of the theory of deliberation, and the role in this of a concept of the Final End. I approach the problem of the structure of the End through the concept of dialectic. Dialectic is valuable as a means to the First Principles of the various sciences, and it is valuable in itself because it is a means to something so important. Similarly, moral virtue is valuable as a means, in various different ways, to theoria, and it is valuable in itself because it is a means to something so important. This leads to a dynamic concept of eudaimonia: practical activity conditions theoretical contemplation, and both have equal value. Eudaimonia does not entail absolutism because the Final End is not a determinate state or set of activities, but a lifetime of participation in those practical/moral activities which, to different degrees and in different ways, facilitate theoretical activities, and of participation in theoretical activities. This concept of eudaimonia does provide the ultimacy and self-sufficiency necessary to give point to deliberation, and so Aristotle does possess a coherent account of reasoning as central part of a non-absolutist theory of rationality.

In the second part of my first chapter I turn to dialectic, claiming that we cannot understand the relation of moral activity and theoria unless we address Aristotle's conception of enquiry, particularly ethical enquiry. Ethics is not only enquiry into First Principles of morality, but enquiry into the social practices and beliefs which are the presuppositions of all First Principles. It seems this limits the power of ethics to teach, or convert, and to explain the moral principles outside of particular social contexts. I introduce the importance of the concept of community here (where MacIntyre emphasises tradition), believing that it can reconcile Aristotle's dialectical approach to rationality with the concept of an end which is truly final, which gives point to deliberation. In fact, I argue, in the text of N.E. the question of a reconciliation of eudaimonia with dialectical explanation of First Principles of morality and all rational enquiries does not arise because in its purpose, its form and certain of its precepts the text is the theory that the Final Good is determined by, and is exercised by, the prevalent forms of explanation due to the exercise of dialectical enquiry in determining First Principles.

Aristotle's achievement is not the creation of the practical concepts utilised by Aristotelian moral philosophers, but the conception of the relation of these to the theoretical enquiries into rational action of a particular community, ethics; the relation of ethics to moral training; and the dialectical understanding of ethics. This leads to discussions of Aristotle's conception of ethics, of the text of N.E., of the theory of virtue, of early moral training and moral education, and of theory of dialectic. These discussions explain the relation of dialectical activity concerning the community's norms to the intuitive apprehension of First Principles, nous, and the relation of moral/practical activity to theoretical contemplation. It appears that the life of



moral/practical virtue consists in immersion in the community mores: these are not merely the source of First Principles but the actual form of life of a community; hence, the value of such a life in itself and not merely as a means to First Principles.

I determine that the life of moral/practical activity has the property of ultimacy because the endoxa are ultimate, and the property of self-sufficiency because theoretical activity is not other than, not higher than, it, but a form of reasoning from the endoxa when these are grasped by nous. Theoretical contemplation and moral/practical activity are, in fact, inseparable in Aristotle's theory of practical rationality: their common source in the endoxa means that in a human life they will both be constituents of eudaimonia, and constituents of equal value. We can prove this inseparability because we know that dialectical activity is the necessary condition of apprehension of the First Principles, and we know that moral/practical activity concerns the endoxa of dialectical activity and that theoretical activity proceeds from the First Principles we apprehend by nous. A lifetime of activity in accord with highest virtue, then, is a lifetime of theoretical activity and of those moral/practical activities whose dialectical nature leads to our apprehension of First Principles of theoretical activities.

Aristotle's concept of rationality forms the basis for an understanding of rationality which may co-exist with our own particular theory or conception of rationality whatever that happens to be. Rationality is a community communicating in a pre-theoretical yet theoretically basic way. This account of 'pre-theoretical yet theoretically basic' communication within communities can be further explained by a study of Thomas Aquinas who combines Aristotle's relation of dialectic and ethics with the Eternal Law to give us the Natural Law through the principles of which we discover the identity of reason with dialectic within the human community.

I introduce the context and purpose of Aquinas's work, and the central concepts of his theory of practical rationality: the dual operations of reason, the First Principle of practical reason, the precepts of Natural Law, and the natural inclinations. The main relations to be discussed are those between human nature and the Final Good, and natural inclinations and practical reason. I discuss why Aquinas's Final End, unlike Aristotle's, must lie outside the human community, the structure of the End of Beatitude and the relation of the Natural Law to it, and the ordering of the natural inclinations. They do not amount to a determinate account of the content of right conduct, but they do have a necessity due to the Eternal Law. To understand how they can have necessity though their content must be spelled out in accordance with contingent factors I turn to stoic thought which relates natural inclinations to law, and to neo-platonism which explains the connection of natural inclinations to the scale of being and the diffusion of God through the scale, thus explaining the connection of natural inclinations to the Final Good.

To understand how practical reason operates through the natural inclinations as the agent pursues his good I have to explain the basic principles of practical reason, their relation to the formal First Principle, and the concepts of self-evidence and synderesis. In particular, I have to discuss the derivation of secondary practical

principles from the basic ones through consideration of human law and convention. Most of our practical reasoning actually depends upon such secondary principles and so morality depends upon social norms and conventions. The Natural Law then is both participation in Eternal Law and articulation of contingently determined norms: in other words, it is human participation in Eternal Law. It is, therefore, not an absolutist rational theory because it is constantly open to extension and revision. To understand this Aquinas has to be further examined.

There are three reasons why the theory of Natural Law is not absolutist: Natural Law is not autonomous; its basic principles hold because human beings are as they are, and not because reason is as it is; and the First Principle of practical reason is not just the basic principle of action, but the principle of activity which makes clear to us that activity is primarily theoretical, and which helps us to see that it is (theoretical) activity which is rationality. This last claim takes up the remainder of my chapter on Aquinas. I try to show that theoretical enquiry is activity; that activity is the basic human experience of reason; that scientific enquiry is the most perfect theoretical activity; and that theoretical activity underlies all human action. I do this by a discussion of the context, purpose and method of the Summa intended to show that it is not theory of anything, but theory become activity: an uncompletable process of theorising continually extended.

I claim that the First Principle of practical reason is Aquinas's explanation of our participation in activity, and the cause of this participation (it is principle of intentionality). Activity is a more basic concept than either thought or action for Aquinas; it is an involvement of reason at a level prior to logic or ethics: fundamental human involvement in dialectical creation and exercise of norms, involvement under the modality of the First Principle. As such, a participation in a particular activity is, in itself, no more 'rational' than a participation in any other: activity-participation is what rationality consists in; judgements of rationality require particular conceptions of rationality and can only be made once participation in theoretical activity has created particular social norms and contexts of conformity.

A particularly important example of rational activity will be one which can both explain present normative standards and principles and the dynamism of theoretical activity (which can explain a particular theory of rationality and disclose what rationality is). This is what we have in the Summa. The relation of the First Principle, the principle of activity, to the structure of the Summa Theologiae - theory-become-activity, as I have interpreted it - means that the virtues of the Summa are those of rationality itself. I summarise the relevance of Aquinas's theory for my thesis as follows: he extends the endoxa to a non-political community under authority from a canonical text; he shows First Principles can be challenged at the theoretical level and not just at the level of the endoxa; he shows proof is activity, and incompletable activity; he shows theorising is paradigmatic rational activity. I hope to have shown that Aquinas does not have an absolutist theory, and to have explained what I mean by 'the account' of rationality, 'what

rationality is: theoretical activity, more basic than particular theories of rationality, and responsible for them.

My interpretation of Aquinas's Natural Law concepts is far from that of the tradition, and in need of defence. My defence consists in an examination of two modern English juristic theorists of natural law. I criticise William Blackstone on the nature of law and obedience to law, human freedom, the nature of Good and Evil and the 'immutable relations of justice', and the concept of happiness. I balance this with Aquinas's conception of Natural Law as rational participation in Eternal Law, and include in this Aquinas's concepts of freedom, Good and Evil and happiness, which play a coherent role within his theory of rationality. In contrast, Blackstone simply has a motley selection of elements of Natural Law theory without either a theory of practical reasoning or a theory of human nature which makes intelligible the theoretical employment of these elements. In so far as he is typical of modern natural law tradition, my account of Aquinas's theory of Natural Law has nothing to fear from that tradition.

John Finnis, like Blackstone, presents a synthesis of Natural Law concepts with contemporary concepts and problems in law, morality and politics. However, like Blackstone, he simply takes these Aristotelian and Thomist concepts from their historical and textual contexts and uses them in contemporary contexts without any hint of a dialectical establishment of their relation to the contemporary context. I set out his theories of value and practical reasoning, and discuss problems with his notion of value, self-evidence, obligation and reasoning. All of the philosophical difficulties I outline for his theory arise because he lacks a concept of human nature. He does not want to adopt a Thomist view of it, and he has no alternative of his own. My interpretation of Natural Law, and the conception of human nature as rationality, theoretical activity, which I have developed, again have nothing to fear from this representative of contemporary Natural Law tradition.

The greatest threat to my theory is the historical rise of the concept of the individual self as autonomous rational and moral chooser. The major theories based upon this concept, Kant and Kantianism and utilitarianism, are examined. I discuss how Kant's theory of practical rationality is incompatible with my notion of a deeper account of rationality determining particular theories of rationality. I then give an exposition of Kant's critical project, and of the relevant sections of Critique of Practical Reason and Groundwork. I explain that my main targets are Kant's concept of interest and his theory of freedom. My argument is that pure practical reason, as Kant is aware, requires a concept of interest, and that the concept he provides is inadequate. The inadequacy might have been, but is not, compensated for by his concept of free will. I claim that Kant could solve the difficulty by taking into account elements of his own Doctrine of Virtue. However, since he will not accept theory of Natural Law, he will not do this. An alternative would be to accept a normative assumption concerning human nature which would perform the work of showing how we can take an interest in non-empirical determination by the moral law, an assumption in content similar to the second formulation of the categorical imperative. This, however, is not a Kantian argument.

In the course of this argument I discuss the concept of interests as bases of motives. Kant could explain non-empirical motivation if this could be based upon a concept of interest formed from a conception of the Good. He has the materials for this conception of the Good in D.V., but rejects it for his own theory of freedom: our freedom from the conditioned world means that we can take an interest in non-empirical determination of will. I try to show why Kant does not, in fact, possess what is a theory of freedom at all, and I present an alternative account, based upon Augustine as well as Aquinas, showing what Kant's theory omits. I finally consider an attempt by Nagel to give an account of practical reason within the Kantian tradition based on a non-normative assumption of human nature, and an attempt by O'Neill to show Kant's substantive conclusions do follow from his own premises. I reject both these accounts, and subsequently Kantian theory of rationality.

My treatment of utilitarianism consists in criticism of its main features, then of particular accounts, and then of certain anti-utilitarian contemporary moral theories. I discuss pleasure, pain and suffering, maximisation and happiness, and provide my own analyses of these. I criticise the utilitarian theories of Mill, Bentham, Sidgwick, Sprigge, Hare and Harsanyi. I also criticise contractarian and rights conceptions of morality and moral theory. The model of utilitarian morality, and any model based upon the premise of an invariant human psychology of calculation or self-interest, is not a sufficient foundation for a theory of rationality. I propose instead my own version of morality, which is a linguistic one. Morality is the received forms of communication within concrete, particular situations inside a particular human community. As such, moralities, together with conceptions of rationality, are one of the two individuating characteristics of particular human communities. Moral theory is realist because morality has a goal: the communication of individuals as individuals. I explain that this communication has an experiential aspect which I call love, and an aspect of understanding which I call ethics. Ethics concerns those goods which must obtain if there is to be communication of individuals as individuals at all. A true morality is one which the standard of ethics evaluates as efficient in producing experiences of love, manifested in respect for and enjoyment of the goods; a false morality is false because it is unethical.

The conception of morality as those contingently determined norms of communication concerning, and within, concrete, particular situations is related to what I describe as ethics by an account of love as the most direct, unmediated, form of communication between individuals, and an account of moral knowledge, understanding of the goods necessary if this communication is to be achieved - the 'goods of ethics'. I try to explain the relation of the experiential component in love to the understanding component, and to relate the individualistic character of love and ethics to the community interaction which is morality. Love and ethical understanding are not found separately but are, respectively, the experience and intelligibility of the communication of individuals as individuals and not as role-structured; a true morality is a system of practices and institutions which constitute norms by which individuals can communicate as individuals in the concrete, particular situations of everyday social



life. I also explain how even from within a false morality we can have moral knowledge because the knowledge comes not from what we try to communicate, but from the necessity of communication as individuals and the requirements for this: from ethics.

Philosophy of mind provides a major challenge to my conception of rationality in its account of small-scale breakdowns of rationality and unreasonableness, and its treatment of large-scale breakdowns and insanity. A functionalist analysis of these indicates a functionalist analysis of rationality, and the spectre of absolutism arises in a new way. I take Davidson's as the most important functionalist analysis of temporary irrationality, and criticise him on three fronts: his vocabulary for describing irrationality; his principle of inconsistency; and his conception of basic principles and norms of rationality. These points are typical of functionalist analyses, and I think my answers deal suitably with the challenges they pose to my thesis.

Insanity is a more serious problem as accounts of it do strongly suggest at least a minimum content of rationality. I take a recent theory by J. Radden in order to expose conceptual weaknesses in the relations of agency, reasoning and moral responsibility she describes. She claims these relations suggest failures of agency are (always) irrationality. I give my own account of agency and moral responsibility through means of the notion of a moral community, and claim failures of agency never by themselves entail irrationality. If insanity is irrationality, this cannot be shown by appeal to defects in the forms of reasoning and judgement required for moral responsibility. I then suggest that even with gross abnormality insanity depends not upon structural defects but upon the peculiar content of behaviour. This may suggest there is a basic 'list', as B. Gert thinks, of goods by which we can always judge certain forms of behaviour as irrational, and, in certain conditions, insane. However, using Gert, I try to show that the 'objective list' conception is not of goods basic to any conception of rationality, but only of goods basic to one particular conception of rationality. I believe I have shown the phenomenon of insanity, and judgements of insanity, do not threaten my conception of rationality. My concluding chapter begins with a conceptual analysis of the concepts of activity, theoretical activity and community, upon which I have relied with little discussion. I explain why I believe theoretical activity is rationality, and that there are requirements to be satisfied if a human being is to engage in such activity directed towards knowledge of those things belief in which distinguishes him as a member of this community. These requirements are satisfied at the individual level; they are needs. I give an analysis of needs and needing in contrast to desiring. I derive a conception of primary, as opposed to instrumental, needing: that we are, by natural constitution or choice, a certain way entails that we have certain needs; and explain the necessity within needing. Of those activities for which we have primary needs requiring satisfaction rationality, theoretical activity, is peculiar in that we cannot choose to follow it in just whatever way we like: we must follow the common presuppositions of the community. Because of this, uniquely, we can specify the full extent of primary rationality needs - not only those which must be satisfied if we are to realise our capacity for rationality in terms of the conception of rationality we share, but

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those which must be satisfied if we are to realise our capacity for rationality at all. By reflecting on the nature of theoretical activity and the place of the individual within the community we can derive the full list of primary needs whose objects must be satisfied if there is to be rationality at all.

The relation between these primary rationality-needs and the 'ethical goods' provides us with a very precise tool for describing the relation of rationality to morality, especially given certain overlaps in content between the two. Among the conceptual connections, for example, there is an ethical requirement that we satisfy all primary needs. A true morality will do this, including satisfying all rationality-needs, even if the present conception of rationality is not one logically connected to, or favoured by, the morality.

The fact that these needs are basic, whatever the conception of rationality of our community, means that they ground certain methodological requirements upon reasoning which any conception of rationality will respect. Otherwise it will not survive. These allow us to give a set of conditions for practical reasoning, a foundation for it. It is not possible to give a theory of practical reasoning except with respect to one particular conception of rationality, and I do not want here to do this. However we can say that all practical reasoning depends upon principles, that these are based upon need satisfaction - not once-and-for-all but as a constant process of attentiveness to primary needs throughout reasoners' lives, and that practical reasoning is a reflective restructuring of perception in the light of needs which occurs as a consequence of certain engagements of the practical intelligence. I discuss these engagements, and the role of perception and judgement in a patterned generalising and particularising coordination of the intelligence in which form of reasoning we take a reflective stance towards our situation in everyday life and so solve its problems in accordance with our needs. In this restructuring we do not satisfy one primary need, turning to it from others; rather we alter the pattern of our needing such that one comes to reflective prominence and others are permitted to share the structuring of our perception in ways that we are more peripheral.

I explain that in practical reasoning it is actually various informal principles of reasoning which we are usually aware of and aware of operating, and not the needs and principles which form our perception of, and solution to, practical problems. Further questions concerning the instrumental reasoning by which we put the solutions into practice are not my concern in this thesis.

## Chapter One.

I am going to discuss Aristotle's theory of rational action. An Aristotelian account of rationality would also have to include the theory of reasoning as developed, for example, in the *Analytics*. I am not going to include this in my discussion as the formal study of rational inferences as Aristotle understood it would be logic and not part of the broader questions of rationality treated here. To ask non-formal questions about the rationality of thought is either to ask practical questions or to ask questions concerning practice. In either case these will be contained within the eventual argument of this thesis. Another reason for not discussing theoretical reasoning is that whereas it concerns one half of the distinction between action and thought, we, at least since the eighteenth century ideal of the whole science of the human being, have tended to apply rationality to a different referent from thought and action: to conduct, and specifically to things which must or must not be done. We have a much more holistic picture of the human being, arising from attempts to unify the emotional and personal character of individuals with their shared moral and social make-up, and resulting in twentieth century philosophy of the individual and of the person. When we discuss rationality we tend to mean the degree of success with which individuals integrate socially and in their understanding of the world while maintaining intact their personal and emotional lives. It, therefore, coheres best with our practice to reserve discussion of matters of purely theoretical rationality for the discipline of logic except for those non-formal questions of the rationality of thought, practical questions, which directly concern human behaviour.

The most extended account of rational action in Aristotle is that of Nicomachean Ethics (all references to Aristotle from The Works of Aristotle, 11 volumes, ed. W. D. Ross, Oxford; 1928). Despite its vital discussions of voluntariness, friendship and the virtues, Eudemian Ethics lacks the comprehensive integration of the other. We discover that the structure of rational action consists of the elements of theory of reasoning and theory of virtue. My account of this will aim to explain the two components, and to do this without prejudice for or against a reading of Aristotle as an 'absolutist' thinker; to describe the difficult relation of moral virtue to intellectual virtue; and to draw attention to what has been seen in the text as the tension between an absolutist account of first principles and a context-dependent account of the virtues. I will go on to explain that the theory of rationality of N.E. must be read along with the account of education into, and practice of, the virtues and the theory of dialectic, and that this whole can then be seen as an attempt by Aristotle to make compatible first principles of the sciences with the recognition that any community's norms are truly political: socially determined and contingent. This reading suggests ways of understanding the uncomfortable relation of apparently basic goods to social-context goods in the text, and the strange opting for the contemplative ideal in Book 10.

The first sentence of N.E. states that 'Every art and every enquiry, and similarly every action and pursuit, is thought to aim at some good' (1094a1). Every theory must begin somewhere, and so far as

this opening opinion is judged correctly by Aristotle, the theory of rational action begins by acknowledging that every action is directed towards the achievement of some good, and that not every good is chosen for the sake of something else, otherwise our desires would be 'empty and vain' (1094a21). Of these goods there is at least one, then, which is chosen for its own sake and not for the sake of achieving some other good. It seems in fact that there can only be one such final good, because only one good could be the highest and the best. This sounds weak, but the point will emerge later that unless there were one unequivocally final end, deliberation would not provide the point of practical reasoning which it is its role to do. This highest good is the object of politics: it is eudaimonia, happiness.

The nature of this good, which underlines the meaning of all rational action, is crucial, for upon this will turn the question of the absolutism or non-absolutism of the standards of human conduct. Aristotle notes certain features of eudaimonia in Book 1. First, we pursue a plurality of different ends in our different activities, so not all of these can be final ends, that is, have the character of the highest good. Then, what is in itself worthy of pursuit (1097a31-2) is more final than what is worthy of pursuit for the sake of something else. Happiness, we know, is in general pursued for nothing other than itself, whereas other things are pursued not only for themselves but also for happiness. Whatever happiness is discovered to be will possess, then, the feature of ultimacy which the final good must have. The final good is also self-sufficient, 'that which when isolated makes life desirable and lacking in nothing' (1097b14-15). Again, we know this is a feature of happiness. Happiness is what is always chosen for itself, and it is that which, alone, is sufficient for a full and desirable life.

If this were the modern concept of happiness, Aristotle's theory would sound scandalous. Eudaimonia, however, is far from the notion of personal contentment through material goods or success. I

think, however, it is nevertheless sensible to speak of eudaimonia as happiness and not as flourishing or fulfilment. Obviously, it is a concept quite different from our concept of happiness, but its content is sufficiently connected to this to make eudaimoniac happiness a more familiar notion than 'full flourishing'.

Aristotle's attempt to give content to happiness begins with the notion of a function. A good artist is one who performs the function of an artist well; he is truly an artist. Man too must have a function, something he does well in so far as he is truly a man. His function, Aristotle thinks, is that which he does and no other thing does. In man alone we find (1098a3) 'an active life of the element that has a rational principle': man is active in accordance with rationality. This then is his function.

One part of the element that has the rational principle has it in that that part is obedient to the other part; and this second part has it in that it leads, and exercises thought. Whichever part we consider, we are dealing with activity implying a rational principle. Such activity is common to all men and possessed by man alone. It is therefore man's function, and the good man, the man who is truly a man ('a so-and-so' and 'a good so-and-so' have a function which is the same in kind.' 1098a8-9), like the good artist, is one who performs this characteristic activity well. We can



consider here the rational principle qua planning and guiding as representing the function proper of man, and the rational principle qua doing-as-guided and doing it well as representing the good of man. Now, as acting well for Aristotle is acting in accord with the excellence of the activity in question, and the excellence of activity in accord with the rational principle is virtue, then the good man will be the man in whose life activity of soul is in accord with virtue and with 'the best and most complete' virtue (1098a18). Happiness, then, is a life, 'a complete life' (1098a19), of activity in accordance with the highest virtue.

As 'The Function Argument' this has been held in disrepute. However, it seems to me to carry us in the simplest possible way from the conception of the human act as teleological to the conception of the soul as layered and as fundamentally rational. Part of the modern difficulty in accepting this argument is that it deals with the soul only at the formal level, or species level, and not with the soul as bearer of a unique identity. It is as the essence or form of a human being that the 'function argument' explains the soul; the question of the individuation of souls would only arise if we consider the appetitive impulses of particular souls which set the rational ends to be followed and motivate the individual.

This is basically the grounds of the defence of this argument by T.H. Irwin ('The Metaphysical and Psychological Basis of Aristotle's Ethics', Essays on Aristotle's Ethics, ed. A. O. Rorty, California; 1980). He argues that function has reference only to essences or forms. If we accept Aristotle's argument of De Anima 412a17-23 that the soul is the essence of the man, and that the soul of man differs from the soul of an animal in that, lacking reason, animals can have no conception of what is good for them as good for them whereas the human soul experiences boulesis, rational wish, wish for what is good, then it becomes reasonable to say that this peculiar property of the human essence does define man in a useful and relevant way. It gives him his place in the scheme of things: he is aware of his good, and so is a rational chooser, one who aims for something because he perceives it as good. Certainly function tells us nothing about the character or propensities of individuals, but at the species level 'rational activity' (unlike 'carnivorous biped') succeeds both in describing what human beings are, and, because of what they are, in specifying what they are to do: they alone experience rational wish; they cannot be defined, then, without the definition picking them out as beings who are aware themselves that what they strive for is good, and this awareness entails intelligent action. The Function Argument does succeed at the level of the soul, the formal level, in demonstrating something about the good man, the man truly a man: he is the rational man. Of course, Aristotle's account of rational activity requires that the Function Argument be supplemented by an account of the individual as bearer of particular and personal desires and subject of unique experiences and perceptions which provide the goals and motivations for his own rational actions. Once this is realised, the Function Argument does not seem implausible, for it now not only explains a species truth about human beings, but acknowledges that, unlike other species, they cannot perform their function except

in ways dependent upon features peculiar and unique to the individual.

The final chapter of Book One of the Ethics discusses the division of the human soul into the elements following the rational principle, and the irrational element. This is important in understanding the relation between the different types of virtue. The irrational element is subdivided into the nutritive and appetitive parts. The latter shares in the rational principle in that it 'listens to and obeys it' (1102b31). It is, however, distinct from the rational principle as we see in the cases of the continent and incontinent where it is opposed to rationality, and in the giving of reproof and advice. So two elements partake of the rational principle, one (the element which 'has' the rational principle) properly, and the other (the irrational element) by 'having a tendency to obey as one does one's father' (1103a3). The obedience of this second element must be distinguished from that of the part of the rational element which has the rational principle in that it obeys the part which plans and guides. This 'passive' obedience within the rational element appears to be the very model of virtue. Indeed, corresponding to the difference between the planning part of the rational element and the obeying part is the difference between the two forms of virtue: virtue of the intellect and virtue of character. Aristotle's quest to discover the nature of eudaimonia becomes the search for which of the virtues activity of the soul must be in accord with if the life in which it is found is to be eudaimonic. We must consider further the relation between the parts of the soul and the nature of virtue, but doing so involves first making a definite choice.

One of Aristotle's major themes is the unity of all the virtues. This is explicit in his official definition of virtue: 'Virtue, then, is a state of character concerned with choice, lying in a mean, i.e. the mean relative to us, this being determined by a rational principle, and by that principle by which the man of practical wisdom would determine it' (1107a2ff). Only with reference to practical wisdom, one of the virtues of the intellect, can one possess any virtue. Similarly, at 1139a31 we are told that without virtue of character we cannot exercise reason in search of 'truth in agreement with right desire', the object of practical reasoning. This object requires reasoning in order to locate where our good lies, as well as moral virtue which is required because action requires boulesis, rational wish for the good to be achieved, and such desire for the good requires good character. However, the moral and intellectual virtues are discussed separately, the moral in Books 2 and 3-5, and the intellectual beginning in Book 6. A full analysis of the text would treat both, but my purpose is to discuss the structure of the text with the intention of showing it does not present an absolutist virtue theory of rationality. As I will be aiming to show it does not do this by discussing its views on practice of and education into the virtues, and on the role of dialectic rather than by attempting to show its particular catalogue of virtues has relevance only for Aristotle's own society, it will be reasonable to concentrate on the intellectual virtues, and in particular on those which refer to practical reasoning. For these virtues have application to the virtuous activities even of a society with a completely different

code of moral virtues, whereas the moral virtues of Aristotle even if they could 'carry' give no explanation of the structure of virtuous activity.

In Book 6 (1139a6) Aristotle introduces a further distinction within the element which 'grasps a rational principle'. One of its parts is scientific, concerning the eternal things; the other is calculative, concerning the variable. The calculative part is then identified with the deliberative part (1139a13). We have now three sorts of division concerning the rational principle. The soul is divided into a rational element which has the principle and an irrational element which does not; the rational element has it either 'actively' or 'passively'; the appetitive aspect of the irrational element, at least in the continent and incontinent (1102b14ff), may also share the rational principle ('even this seems to have a share in a rational principle'; and, in the temperate man, 'it speaks, on all matters, with the same voice as the rational principle'); and the rational element both considers scientifically the invariable and deliberates concerning the variable.

The work of both the scientific and the calculative (deliberative) parts concerns truth: truth and falsity are the 'good' and the 'bad' of the scientific part; while 'truth in agreement with right desire' is the good of the calculative part. The states in which the scientific part arrives at truth and the calculative at truth in accordance with right desire are the virtues of the two parts. There are five such states listed: art, scientific knowledge, practical wisdom, philosophical wisdom, intuitive reason. I am particularly concerned with practical wisdom because it is the virtue which concerns actions good and bad in respect of the agent rather than in respect of what the actions produce. Practical wisdom is 'a true and reasoned state of capacity to act with regard to the things that are good or bad for man' (1140b5); 'to that which observes well the various matters concerning itself... one ascribes practical wisdom' (1141a25). Also, since it is practical, practical wisdom is concerned with particulars. It is, then, concerned with how one's life goes, with particulars, with things we deliberate about (1141b9), and with action (1141b21).

When we consider the definition of eudaimonia ('activity of soul in accordance with virtue'), and recall that this activity was of the element of the soul having the rational principle and that we now know there are five forms of intellectual virtue which the part of the soul which has the rational principle may possess, it seems that practical wisdom is at least a necessary condition for that activity which constitutes eudaimonia. This is so because practical wisdom is required for there to be (a) deliberation concerning (b) particulars over (c) a whole continuing life. And (a) if there is no deliberation, there can be no activity of soul following a rational principle (1098a7-8), for deliberation is of the means to the end which is established non-deliberatively through possession of the rational principle; (b) if no particulars are considered, eudaimonia cannot be 'a certain kind of life' (1098a12), for a life is a particular life; and (c) if there is no foresight with regard to one's own life (1141a28), part of eudaimonia cannot be that it is found 'in a complete life' (1098a18).

We can claim so far then that the virtue in question in 'activity of the soul in accordance with virtue' either is or includes the

intellectual virtue of practical wisdom. This is, of course, Aristotle's own position. From his description of the practically wise subject as one who 'observes well the various matters concerning itself' we can understand practical wisdom both as one of the catalogue of the virtues and as that virtue which has in its exercise the task of coordinating and organising the other virtues. He also asserts clearly this central role of practical wisdom in those places where he tells us that the possession of any of the moral virtues implies practical wisdom (1107a2; 1144b20); or that the possession of practical wisdom implies the possession of all the moral virtues (1144b31; 1145a1-2). Practical wisdom may be regarded then either as a vital constituent of eudaimonia, or as the form of, and dynamism behind, eudaimonia. In order to approach the question of the status of first principles within Aristotle's theory of rational action we must ask whether his account of the practically wise man, the phronimos, does represent a conception of eudaimonia which is coherent, and whether the life of the phronimos is supposed to represent a fixed and universal goal of rational activity.

To ask this we must consider the notion which seems to be central to Aristotle's account of the phronimos. The phronimos is one capable of reasoning and acting well with regard to the things which are good and bad for himself. He is one who knows his good, and who can by reasoning act so as to achieve it. The virtue of practical wisdom is exercised by one the calculative part of whose soul grasps the rational principle well. To calculate includes being able to deliberate, and it is to Aristotle's account of deliberation and its place within the structure of 'grasping the rational principle' that we must turn to understand practical wisdom. Deliberation may be pursued by anyone, by fools and madmen (1112a21), but to study it we must consider the deliberation of one who deliberates well. Deliberation is working out how to achieve what one has set oneself to achieve. The key to understanding it is that we do not deliberate about ends. The process is described in 3, 3 as like the investigation and analysis of a geometrician. As he works backwards from the postulated construction discovering by what means it is produced, the subject reasoning practically works from his end to the means of behaving so that what presently exists at the level of imagination will exist in actuality. Deliberation is comparing alternatives and analysing methods. To deliberate well is to investigate means of bringing about eudaimonia, to reason concerning the Final Good what it is best for me, here and now, to do. Fools and madmen may deliberate, but they fail to consider all the alternatives and methods for achieving eudaimonia. Instead they simply try to establish eudaimonia, directly, through their deliberation, or they deliberate with respect to the merely apparent good. For Aristotle, to exercise the reasoning powers in this way, either to get eudaimonia or to consider means to some non-eudaimonic good, is not to be rational in the way the practically rational man is. He does not use his deliberative skill to produce eudaimonia - he does not deliberate about ends - or to consider means to the merely apparent good. Rather, in deliberation he considers efficient means to ultimate achievement of his good through, and in, performance of virtuous activities; and the good



about which ultimately he deliberates is the good he learns through his possession and exercise of the moral virtues - eudaimonia. So the task of deliberation, the heart of the intellectual activity of practical reasoning, is to consider alternatives and analyse methods for realising eudaimonia; and the unity of the virtues guarantees that the man of practical wisdom will know the good in advance of his deliberation. His deliberation is neither a means to knowing the good, or to achieving here and now the good through intellectual calculation. However, although the phronimos does not deliberate about ends, he may constantly discover ends he may now adopt as the ends to be pursued in his future actions through his deliberation concerning means to be adopted towards the realisation of his present ends. Simply, at  $t_1$  I deliberate about the means to end  $e$  and accept means  $m_1$ ; I might simply immediately perform  $m_1$  as an action, or I might, at  $t_2$ , take  $m_1$  as my end  $e-1$  (one step further from eudaimonia if considered as arche, and one step closer if considered as telos) towards which I must next deliberate to discover the best means, in my situation, of realising  $e-1$ . Also, in accepting  $m_1$  as means to  $e$  I may discard  $n_1$  and  $p_1$  but accept  $n_1$  as a possible means to a postponed end,  $e_2$  - which  $m_1$  perhaps revives within me - which will then have to be deliberated; and accept  $p_1$  not as a means to anything at all but as a newly discovered end-for-the-sake-of-eudaimonia, arising not from any process of deliberation, but from my deliberative activity. As Aristotle says, this expanding series of ends will only ever give a reason for action if there is a Final End, be it state or process, which can give to all the subsidiary ends the phronimos adopts the status of means, either to be immediately adopted, or to be once again transformed through deliberation into subordinate ends to which practically realisable means must be sought. The Final End provides intelligibility by transforming ends into means and means into ends; practical wisdom provides knowledge concerning which means to adopt and which ends to pursue. It is because the Final Good is not the immediate object of deliberation, that it can open up to us whole patterns of ends through its own teleology; and because it is known by the phronimos in advance of his deliberation, that good deliberation will not concern the merely apparent good. Deliberation is the centre-piece of the practical reasoning of the wise, but it is not the full picture of the rational life of the phronimos. Possession of practical wisdom, the excellence of the calculative part, also requires that the phronimos hold a conception of the Final Good, arrived at in the proper way (whatever that may turn out to be); that he be able to derive from this the idea of his good in particular circumstances, which ability comes only with experience; and that having deliberated, he is then capable of performing those functions within his control necessary for the performance of the virtuous action. This last is the province of the practical syllogism, upon which much of the attention in studies of practical reasoning is misleadingly concentrated. Upon the conclusion of deliberation, an agent may perform the chosen action. Then there is either attributable to him or actually rehearsed by him (it does not seem to matter much which) a syllogism to the effect that 'doing this (the conclusion of the deliberation) requires doing that'; 'doing that is best done here in this way'; and the doing of it. The construction of these practical

sylogisms is the means by which we make our decisions active in our lives. They represent the connection of deliberated means with action directly, that is, without the necessity of seeing these means as themselves yet another subordinate end to to which some further means of actualisation must be sought. Syllogisms, then, form the limitation upon thought in practical matters by ensuring that at this point it does eventually become action.

Although Deliberation is far from being the whole of Aristotelian rationality (to claim this would be to fail to acknowledge the entire conception of the virtues), an action into which deliberation does not enter is not a rational action. This is the reason why the virtue of practical wisdom whose work is deliberation has a unique structuring role in action, although it is only one of a plurality of virtues. We may believe we can act rationally without deliberation: filled with elation, I run and do not pause to consider running at all; without deliberation, I do what I have done a thousand times before, and unlock the door in order to enter my house. In our modern vocabulary we would say these are not actions done for no reason; they are intentional - they are not involuntary, and on suddenly focussing attention on my doing them I would not be surprised at my behaviour; therefore they are rational. According to Aristotle's theory, however, routine actions done automatically are, in fact, preceded by deliberation, and spontaneous actions, though they may be an expression of some good which may even involve our Final Good, because they are not aimed at the good, cannot be rational.

He nowhere says that deliberation of means which precedes action must immediately precede action. Deliberation issues not in action but in choice, 'deliberate desire of things in our own power' (1113a12). The conclusion of deliberation is a desire to adopt certain available means to the realisation of an end. We are not required in drawing the conclusion to immediately adopt the means. We are required to adopt the means when the circumstances are appropriate. In this respect the conclusion of deliberation differs sharply from the conclusion of a practical syllogism which Aristotle repeatedly holds (see, for example, De Motu Animalium 701a12-15) is an action. The conclusion in deliberation concerning the means to be adopted is separable from the action in which it is enacted. Unlocking the door at 5.30 can only be done 'unthinkingly' because at some earlier time I have deliberated how to go about reaching home; reasoned that unlocking the door forms some small part of my deliberate desire to move indoors; and have repeatedly and successfully unlocked doors as ways of moving indoors. Such 'automatic' actions are, then, rational provided the goal in question forms part of my good on this occasion. That it does so is a function of whether this intended goal is itself an efficient means in these circumstances to the achievement of my higher-order good, the good which is in turn a direct means to, or an aspect of, eudaimonia.

My example of running purely from elation is not, however, rational by Aristotle's standard. He would describe this as action caused by the appetitive part of the soul, and this is part of the irrational element. The appetitive part is typically opposed by Aristotle to the demands of the part which has the rational principle - for example, in the discussion of akrasia at 1147a25-35 - though in the

continent it may obey the rational part, and in the virtuous it is so much in harmony with the rational part that it in effect shares the rational principle itself. That, in the less than virtuous, the appetitive part opposes the rational part, indicates that appetite can cause us to set ourselves ends, just as deliberation in the light of the Final Good does. Once reached, however, the ends of appetite are not deliberated over. That they cannot be the object of sound deliberation is clear because the ends of appetite motivate because of the effect of their objects on appetite and not because of the role of their objects as goods subordinate to the Final Good; that they are not the object of deliberation at all is apparent because we do not determine means to them but have our practical reason compelled by them (at D.M.A. 701a30-36 in practical syllogisms with ends of appetite expressed in major premises the mind oversteps the minor premise, and at N.E. 1147a33-36 appetite is described as being able to move us in the face of a major or universal premise to the contrary).

Far from conforming to the geometrician's task of analysis of 3,3, the only reasoning present in one who acts from ends of appetite is the simple factual representation to himself that, for example, everything sweet is pleasant and this here is sweet. So powerful is the influence of the appetite that this is sufficient to lead us to eat, even in the presence of a universal premise to the contrary. The ends of appetite can cause us to form practical syllogisms even in the face of the deliberated ends of reason. It is obvious, then, that the mere presence of a practical syllogism is not enough to entail rationality of action; it entails merely action. The missing component of rationality in cases of action directed to the achievement of an end of appetite is sound deliberation preceding syllogising, for this would discover whether the action is here the best way of realising my good, and if not, reject it.

In the case of running purely from elation we do not have a rational action because we have undeliberated following of appetite. Even if the appetitive goal happened to coincide with my good as it is to be realised here and now, this would not be sufficient because human beings have not only to achieve their good by activity, but to achieve it because they perceive it to be their good. Thus, in the function argument it is this perception, rational wish, which forms the real difference between human and other beings. The human good is explained not by reference to some external human function, but by the perception of human beings of their own good, the intelligent activity of that function.

The phronimos, then, is centrally but not merely a good deliberator. He must conceive of his own highest good, understand the consequences of this conception in his changing circumstances, deliberate well, and oppose the yearnings of appetite to form ends in order to form practical syllogisms that are efficient and will conclude with virtuous actions. All of this is implied by the virtue of practical wisdom. However, it is the presence of sound deliberation in his practical reasoning which is rightly seen as the hallmark of his rationality because it is in deliberation that we see how the virtue of practical wisdom alone of the virtues, intellectual and moral, has the vital administrative as well as executive role. Deliberation discovers how, here and now, to follow the good, and it also has the ability to convert these

means themselves into subordinate ends we may accept, and to then search for means of fulfilling these. It is this activity which makes practical wisdom, unlike art or intuitive wisdom, concerned with action not because of what it may lead to outside the sphere of action (material goods; pleasure; knowledge), but concerned with action simply as the structured transformation of human behaviour into pursuit of human good; concerned with action simply as action. It is crucial to the Aristotelian theory that deliberation maintain its purely formal role of calculating means, converting them into ends for our acceptance and calculating basic means to subordinate ends. If it once becomes concerned with the acceptance of or realisation of ends, it then supplants practical wisdom as the virtue which allows us to coordinate and pattern actions in the light of the good; it ceases to function so as to transform behaviour into focussed and directed action, but instead tries to operate so as to bring about immediate understanding and possession of eudaimonia. For Aristotle, however, practical wisdom and not sound deliberation is what determines in our particular circumstances our true ends; these ends are not realised piecemeal and immediately by deliberation but discovered gradually through aspects of a life lived in accordance with the virtues.

The account of deliberation may seem to suggest that deliberation of the less than practically wise can fail either with respect to their reasoning, or with respect to the objects of their deliberation. The failure, that is, may be one of calculation, or one of acceptance of the ends in the light of which we deliberate. However, as one's good ultimately is a matter of virtuous activity, and as we know from the definition of virtue (1107a1-2) that virtue in any particular case is determined by reference to the 'mean' state of character which the phronimos determines, then the ability to know one's good and to judge concerning it on particular occasions cannot be separate abilities. An individual can only come to the knowledge of his good by the acquisition of the ability to make practically wise choices, choices of virtue, on particular occasions; and he can only make these choices if he already has within himself 'the rational principle'

(1107a1), knowledge of his good, by which to determine them. There is no circularity here as the acquisition of the ability to act virtuously is accounted for by Aristotle's programme of moral education - in general, the study of such works as the Ethics itself, and in particular the caution (1143b11-14) to attend to the advice of the elders who have practical wisdom. Moral education and habituation in the virtues cause the phronimos to choose correctly in the light of his conception of the good, and to modify his conception of the good in the light of his choices. One who is less than practically wise, therefore, cannot truly be described as deficient with respect either to his conception of the good or to his ability to deliberate concerning it on particular occasions, for the one ability cannot be possessed without the other.

There is no purely intellectual failure within practical rationality. There is not even a purely perceptual failure within it. An agent cannot be said to fail in that he lacks the ability to perceive what here he ought to do although he knows what his good is, for although practical wisdom does involve perception (1142a27-30), it is not the simple perception coming from sense



experience. Practical wisdom demands not only the ability to see, but to see what to do here and now given the knowledge of something universal (see 1141b14-15). The sort of perception relevant to practical wisdom is not simple perception, then, but perception in the light of one's good. So perceptual failure within practical rationality is not possible without failure of some sort with respect to one's good, a failing in virtue (see R. Sorabji 'Aristotle on the Role of Intellect in Virtue' P.A.S. vol. 74, 1973-74).

An understanding of the concept of the phronimos, the one who deliberates well, requires an understanding of the moral virtues as well as the intellectual, or at least an understanding of the role and operation of the moral virtues since their actual nature is subject to greater variation than the more formal intellectual virtues. Deliberation is a process of moving from the conception of our good in particular circumstances, as derived from our Final Good, to the means by which we might now realise this good. Such a conception must be that of a substantive end if we are to regard the means to it as themselves ends giving us reason to do what will achieve that which we have reason to achieve. The questions of the nature of the Final End which explains substantive ends and the manner in which it is conceived are questions of the character of rational human beings; they do not concern characteristically human activity, which is directed to these things, but aspects of the nature of human beings. The answer to both these questions is the theory of moral virtue. It is because of the moral virtues that we can conceive of the End in the possession and pursuit of which our intellectual virtues are also involved; and it is the role within the Final End of the moral virtues that accounts for the capacity of eudaimonic human beings to enjoy variety of activity and emotion within physical human life as pursuit of eudaimonia.

We know (1098a18) that eudaimonia is activity in accordance with 'the best and most complete' virtue. Virtues are either intellectual or moral, of character. At 1177a12 we are told the highest virtue is 'of the best thing in us'; and at 1177a18 we are told, or reminded, that the activity in question is contemplative. The suggestion in the Ethics - remembering the practicality of ethics for Aristotle and its concern with the particular - that the Final End consists of a life of theoretical contemplation is fascinating, but to many has seemed troubling. Genuine perplexity emerges not with the claim that the point of action is non-practical activity, but with the remembrance that action structured in accordance with practical wisdom and in pursuit of the moral virtues has previously been discussed as itself either involved in, or constituting, its own Final End. 'For while making has an end other than itself, action cannot; for good action itself is its end' (1140b6-7). The conception of practical activity being good not merely because it may lead to eudaimonia, but because eudaimonia is, at least in one aspect, the life of good action is rarely absent from the discussion of the virtues.

Emphasis on this conception leads to the view that there must be scattered throughout the text mention of various goods which are the goals of those forms of practical activity which have a place in eudaimonia. John Finnis (Fundamentals of Ethics, Oxford; 1983, p. 19) holds such a view. He rounds on phrases like 'each man wishes himself what is good, while no one chooses to possess the whole

world if he has first to become someone else' (1166a19-21) and 'no one would choose the whole world on condition of being alone' (1169b18). He detects the real structure of Aristotle's thought in these remarks, pointing to a life consisting in possession of a plurality of goods all members of which are equally basic. This life of activity (for, 1177a1, 'a virtuous life requires exertion, and does not consist in amusement') aimed at the reasonable production (made possible by practical reason: for Finnis, itself one of the basic goods) of basic goods is held to be eudaimonia.

Others preserve the view of rationality as self-rewarding practical activity without the construction of an alternative theory of the good. Martha Nussbaum, (Fragility of Goodness, Cambridge; 1986, Appendix to Part Three), for example, speaks positively of what for most is the drawback of a conception of eudaimonia which is plural, indeterminate and complex, and therefore the source of vulnerability and ultimately conflict. Our rationality is not a protection from danger, but a means of contending with danger by laying ourselves open to the possibility of it in activities which simply would not be worth taking part in if they did not expose us to the risk of reversal and disaster. These activities possess a value all of their own, of a sort not available to those who have divine and Platonic self-sufficiency. They can only be found within the life of a being which has need, lack and limitation (see 1178b10-16). This value is ours, and it is this which makes it worth pursuing; which makes these activities rational human activities. Understanding the goodness of, or rather the rationality pertaining to, a particular value is inseparable from understanding whose value it is. Once we understand the being, we understand the value.

Such Aristotelian theories do not do justice to Aristotle in failing to take the discussion of theoria as a central part of the argument for eudaimonia. It must be shown that both activity in accord with moral virtue and theoretical activity are found within the eudaimonic life, and that this is compatible with the definition of eudaimonia as activity in accordance with the 'best and most complete of the virtues'. To omit theoria from eudaimonia is inconceivable. 'But we must not follow those who advise us, being men, to think of human things, and being mortal, of mortal things, but must, so far as we can, make ourselves immortal, and strain every nerve to live in accordance with the best thing in us' (1177b31ff). A man content with Nussbaum's fragile humanity would not lead Aristotle's life of happiness. We do not have self-sufficiency, but we have theoria and we have nous, and by these we can transcend our vulnerability (De Anima 408b18ff).

Ackrill ('Aristotle on Eudaimonia' Proceedings of British Academy 60, 1974) suggests that 'the best and most complete virtue' refers to the 'inclusive' and not the 'dominant' conception of the Final End, and that it is quite different considerations which suggest that theoria is a higher form of activity than practical/moral activity. While believing himself that the two cannot ultimately be reconciled, he is clear that Aristotle does not believe reconciliation in an inclusive concept of eudaimonia involves acknowledging that sophia is higher than the moral virtues. However, it remains the case that in Book 10 these

'different considerations' for the dominance of theoria are recalled by Aristotle, and that once introduced, they do justify the view that activity in accordance with the highest virtue is the activity of theoria - a position no one can call un-Aristotelian (see S. Clark, Aristotle's Man, Oxford; 1975, p. 159-63). That nous is the best part of us is clear because a/it is self-sufficient (1177b1-4); b/our exercise of it is continuous, and it is the most pleasant, purest and most enduring virtuous activity (1177a22-28); and c/it can be exercised with only the necessities of life (a30), in independence of other human beings. Activity of nous, then, is well-fitted to the formal definition of eudaimonia as activity in accord with highest virtue. it/

Also, we cannot in this context pretend to be unacquainted with the passages in De Anima in which the structure of the thinking and knowing soul is described (Book 3, chapters 4, 5); the descriptions elsewhere dealing with the privileges of the theoretical intellect (for example, De Generatione Animalium 736b27-9); or the passages in the Ethics itself in which philosophical wisdom is given the dominant role ('It would be thought strange if practical reason, being interior to philosophic wisdom, is to be put in authority over it' 1143b33-35; 'Wisdom must be intuitive reason combined with scientific knowledge - scientific knowledge of the highest objects... For it would be strange to think that the art of politics, or practical wisdom, is the best knowledge, since man is not the best thing in the world' 1141a18-22). Such passages make the suggestion of excluding theoria from eudaimonia wild. The question is whether eudaimonia, as defined at Book 1, 7, can consist in both moral/practical activity and in theoretical activity while the latter is acknowledged to be activity in accordance with the highest virtue.

It must be borne in mind that what we are seeking is not some blessed state which the virtuous will reach, but a complete sort of life, and a life of activity. Eudaimonia is a life of those activities which are engaged in for no reason other than that they are the activities they are; those for the sake of which all other activities are undertaken. The simplest view, then, would be to take these activities as including those in accord with the moral virtues and those in accord with philosophic wisdom, the highest of the intellectual virtues. The (greater) variety of moral activities together with theoretical activity would exhaust those things done for their own sake and judged worthy by men of practical wisdom. This simple account, however, does not explain why contemplation is the highest of virtuous activities. And even if this were simply stated as an assumption of psychology, this would leave the deliberating agent in a state of uncertainty. Unless his perception were such that he became aware of the moral and contemplative components of eudaimonia only individually and as particular means of pursuing either were discovered by him, it could always be possible that different ways of pursuing different aspects of his good should become apparent to him simultaneously. This possibility is the possibility of conflict, for unlike clash between the claims of different goods within the moral (or theoretical) sphere, this clash would be a clash between two parts of the soul (scientific and calculative) different in kind (1139a9-11), and would therefore be irresolvable without appeal to

the higher status of one part or to some external principle. There is no additional rational principle to appeal to here for Aristotle, and we are then left with the need to justify appeal to the scientific part when the calculative is equally part of eudaimonia.

John Cooper (Reason and the Human Good in Aristotle, Harvard; 1975, ch. 2) identifies a 'bi-partite' conception of the good in E.E. Here the values of social and, in particular, family life do have a place alongside the development of philosophic wisdom, but the dimension of moral and social activity is limited. There are moral requirements which we must fulfil and then, having done this, we may pursue contemplative activity without restriction. Eudaimonia is 'the activity of a complete life in accordance with complete virtue' (E.E. 1219a39). The rational man is one who will adopt as principles of action those means he believes likely to get or promote such goods as friends, health and honour and who will never sacrifice these goods for the sake of any other value, but who, once moral requirements are met, or where they do not apply, will act so as to promote theoretical contemplation (Cooper p. 142).

This is in many ways a satisfying account. It seems not to exclude any behaviour we would consider morally desirable. It does not attempt to harmonise or systematise the moral goods overmuch, but recognises their heterogeneity and so allows for the possibility of a certain autonomy in the ordering of them. It succeeds in showing eudaimonia including moral and theoretical activity while still demonstrating that it is theoretical activity which is activity in accordance with the highest virtue. Cooper's theory appeals to a unified conception of the human being as a compound of physical and emotional needs with needs also for intellectual activity. This is a definite improvement on the crude dichotomy which sees us as either fundamentally moral and social embodied beings with a tendency for intellectual activity, or near-divine reasoners who require the satisfaction of certain physical and social needs if we are to be enabled to contemplate. Cooper claims that his unified conception is indeed the view of human nature of E.E., and that it was surrendered by Aristotle in N.E. 10 only because of the late psychology of De Anima.

The higher intellectual faculties are independent of the rest of the human being in D.A. They do not together with the other psychological faculties which have dependence on the body form a single soul, but (see 413b25) are 'a widely different kind of soul'. Aristotle identifies the human being with the intellectual soul (see N.E. 1166a17; 1178a8/9) because of the connection between it and divinity. Because of this, in N.E. 10 it is intellectual activity which is said to constitute eudaimonia and not, as, according to Cooper, he has argued all along, moral/social together with intellectual activity.

Despite the plausibility of this, I cannot see how Cooper can handle those remarks in N.E. 1 which, as he himself notes, point to the intellectualist conception, and also the remarks of Book 6, 1141a12-23. What is valuable about his study is that it does not abandon the theory that contemplation is in accord with highest virtue, but does abandon hierarchical talk of superiority of one sort of activity over another. If, as may be possible (see Ackrill op cit.; Nussbaum



p.373ff), no absolutely consistent concept of eudaimonia is to be found by treating N.E. as a unified whole, the most reasonable course might indeed be a compromise of both forms of activity such as E.E. suggests, avoiding the terminology of hierarchy of activities.

However, the problem remains that replacing hierarchical talk with talk of priority of satisfying demands still does not explain how moral/social activity is an equal part of eudaimonia for it still does not satisfy the criteria of self-sufficiency and ultimacy. It cannot be sufficient, for intellectual activity would always offer the prospect of a higher life of virtue; and it cannot be ultimate because though never chosen for the sake of something else, there is always something else that is also never chosen for the sake of something else. That it has a prior claim to be participated in demonstrates neither the ultimacy nor the self-sufficiency of practical activity.

Cooper's attempt to give an account of reasoning including conditions under which we may pursue each component of eudaimonia - we must first satisfy moral requirements, and there will come a point at which we will be free to turn to theoretical matters - also does not succeed because it involves a notion of obligation which is alien to Aristotle. For Aristotle, the requirements which must be met if I am to fully participate in the moral and social activities of a rational life are not such as can be met and then placed to one side while I turn to the pleasures of the intellect, content that I have satisfied moral requirements. The goods of health, friendship, capacity for reasoning, self-knowledge, wealth and so on are not the sort of things which can be achieved to a sufficient point and then turned from to be sustained by some external principle. Achievement of these is actually not achievement as such, but a process of continually attending to circumstances as possible opportunities of, and threats to, these goods. Aristotelian goods do not impose upon us a set of obligations, but provide us with a set of values which must not, ever, be betrayed in virtuous lives. We cannot reach the stage of having adequately satisfied moral requirements so as to be able to turn to intellectual ones for the values in question are not obligations but the structure of complex, educated and virtuous, perception for Aristotle, and he has no mechanism for explaining temporary cessation of virtuous perception.

We must interpret moral and intellectual activity as possessing equal rational weight. To this extent, we must somehow accommodate Cooper's insight concerning them: they cannot be conceived of hierarchically. However, although standing side by side, intellectual activity alone must be activity in accordance with the highest virtue. Let us consider in this context the relation of dialectic to science for Aristotle. In simple anticipation of later discussion we can say dialectic is a progression from the opinions of the many, and that these are both cause of, and then reflection of, the principles of all the sciences, including ethics. Dialectic is that form of intellectual enquiry which provides us with the first principles of science. As such, we can say that the value of dialectic has two logical aspects: it is good first in that it is the means to first principles; and secondly, it is good 'in itself': something which is the means to something as important as

first principles has importance in its own right. The difference is not slight. It is a/ valuable as a means; and b/ derives independent value as an activity because of its role as means to something important. As the means it is valuable in respect of the first principles it grounds; as an activity it is valuable because of the service it provides of being a means.

I want to take a similar view of Aristotle's relation of moral to intellectual activity. We know from Politics,<sup>7</sup> that moral and political activity exists for the sake of contemplative activity. However, we feel sure from the structure of N.E. that moral activity is also part of eudaimonia though not the highest part. Within eudaimonia, then, there must be qualitative variety. We need not only to deliberate so as to achieve the life of contemplation, but also so as to achieve the life of moral activity. This latter life is the Final Good in two senses, first in that it is the means to contemplative activity (through morally virtuous and social activity and education in the moral virtues we are fitted for contemplation; moral requirements can be fulfilled even when we turn from moral to intellectual activity); and secondly, in that so far as it provides the means to contemplative activity, it has independent value in itself. Moral/practical activity can be considered as equally part of eudaimonia together with intellectual activity in so far as it is conceived of as valuable in itself because it is provider of means to intellectual activity, but it can also be considered as activity in accordance with a lower virtue in so far as it is conceived of merely as the means to intellectual activity.

The advantage of this conception of eudaimonia is that the Final Good can now be explained as dynamic. There is no longer any question of conceiving it in absolutist terms as a state of possessing the rational goods. Rather it is more like a process: a lifetime, of practical-activity-feeding-potential-for-theoretical-activity (in ways to be explained) in which the practical activity has value in itself, a value it draws from its role as means to theoretical activity, and theoretical activity has value in itself, a value it draws from its own nature as activity of the highest and most divine part of us. The dynamism within this process, it should be noted, is not limited by anything other than the requirement that it provide means to contemplative activity.

There is no reason, if this is correct, to view Aristotle's ethics as a structure based upon basic non-contextual goods. Rather it is based on contingent and contextual social/moral virtues which may be different and will show progress in different societies (provided they continue to supply the means of theoretical activity) while managing nonetheless to provide stable standards of rationality a/ because the intellectual virtues are much less subject to change, and b/ because the conception of the Final Good will always contain at its highest the activity of theory, no matter what the object of theorising is from society to society).

The view of human life at its best, rational life, as a process of developing and practising moral and social virtues so as to prepare for theoretical activity requires a conception of human enquiry as learning and exercising basic practical standards and standards of social intercourse and doing this because it is valuable in itself, while always remembering that this value derives from the

status of this practical knowledge as eventual means to theoretical knowledge. This conception is not just one which would have to be developed if my suggestions about Aristotle are correct, but one which must be defended if my thesis is correct, for it is the historical source of my reading of Aquinas's theory of practical reason, and my account of rationality. I have so far only suggested a way of looking at eudaimonia. The second part of this chapter will argue for the importance of understanding Aristotle's theory of dialectic in understanding the Ethics. This will show that activity grounded in the education and standards of one's society has both the value of a means to theory, and value in itself because it is a means to theory. However, I must first show in this part that the conception of eudaimonia suggested will allow for a workable notion of deliberation, so that Aristotle's whole theory of rationality can be considered as a coherent example of a non-absolutist structure. Deliberation searches for means to ends, and as part of this process can convert means into subordinate ends either to be immediately adopted in action via practical syllogisms, or to await the next operation of deliberation in seeking means to fulfilling these. In his deliberations the practically wise man has the conception of his end as a lifetime of theoretical activity together with a lifetime of moral/practical activity. The latter he considers as a means to the former, and, possibly, as a source of some of the particular contents of his individual theoretical contemplation. He also has a conception of his particular good in his situation, formed by perception and experience, and reflection upon his Final Good (rarely, his particular good will appear to him as theoretical contemplation or moral activity itself rather than particular objects of individual activities). Having a conception of his good (which, through his possession of the moral virtues, coincides with the Final Good), he desires its achievement, and deliberation is the process of considering alternatives and analysing methods to this, and - in virtue of the ultimate relation of these means to the Final End - of converting them into subordinate ends.

We required a substantive concept of eudaimonia so that the deliberative process of adducing means to ends and converting them into new ends might not continue indefinitely as an empty exercise of reason, but might terminate in the agent's being caused to form a practical syllogism, and so that we might understand the objects of our practical reasoning to possess sufficient desirability to explain the rationality of our actions. A lifetime of theoria and moral/practical activity represents termination in a life of activity which is quite self-sufficient due to the sufficiency of the latter to provide for the former, and, since philosophic wisdom is the highest virtue, ultimate. It, therefore, can lend point and desirability to our adopting those means deliberation discloses towards it in our practical syllogisms, and it does provide a terminus at which deliberation will stop and we will act. The life of theoria cannot be attained without experience, and education into, and exercise of, the moral virtues in forms of practical activity, and possession of certain external goods - companions, pleasure, health - which these activities realise. The moral virtues and external goods are not achieved once-and-for-all, but throughout a lifetime of practical activity. And such a life

is valued not merely as a means to a life of theoretical activity, but for itself: as a form of life which is good in itself because it does provide, in all sorts of ways, means to the highest life. From the point of view of the theoretical life the practical life is subordinate, but it is, unlike other subordinates, a structural part of its superior, and so of eudaimonia. The indispensability of a life of practical activity means that it, in virtue of its relation to the lifetime of theoretical activity, shares the properties of ultimacy and self-sufficiency. It can, then, function as a substantive good within deliberation. Finally, I should describe the operation of the practical syllogism within reasoning. It is not often a piece of our reasoning itself; we are very rarely conscious of its steps at all, and even when we are, rarely in step form. It is Aristotle's explanation of what happens when having as a result of deliberation chosen to do something we find ourselves in the appropriate circumstances with no factors intervening. The syllogism is the explanation of what doing is, not of what leads to doing. The immediacy of the syllogism appears to us as a form of perception: we know something is to be done; we see now it is right to do it; and we do it. However unhappy the terminology of 'syllogism', its 'conclusion' is definitely action, and not decision. This account follows Cooper's. Whether we are to understand it as a piece of reasoning or not seems largely irrelevant - though Cooper denies that the syllogism is part of the agent's practical reasoning at all. The important fact is that the structure of the syllogism is in the rational agent's consciousness, whether or not it is rehearsed, as the deliberate desire to achieve x sometime, and the perception that 'y will achieve x and I am unhindered from doing y now'. The general question of which good I am now to pursue through practical reasoning is also relevant here. This is not a question of a special reasoning process. What I here and now ought to be doing is not a matter of choice: we cannot deliberate about ends. It is a matter of desires and of our perception of our circumstances. Generally, we do not say 'this is part of eudaimonia; what can I do here and now to achieve it?'. Rather, if our desires have been properly formed and controlled by the development and encouragement of the moral virtues, what we will desire in any particular circumstance will be the possibility of doing what will best serve to attain our good, and what we will perceive will be the best means of doing this. The moral virtues are crucial: perceiving just what, in particular, one ought to do in any circumstances is one of the skills of the phronimos. I will go on in the next part of this chapter to discuss Aristotle's opinions on education into and practice of the moral virtues, the role of dialectic, and the relation of practical to theoretical activity given that both have a place within the structure of eudaimonia.



## Part Two.

We will not understand the relation between the lifetime of morally and socially virtuous activity and the lifetime of contemplation in eudaimonia until we can explain something of the nature of enquiry. Consideration of ethics in independence from other forms of enquiry and from those factors which condition ethics itself makes it impossible to understand how the relation I have suggested between moral activity and theoria can occur. I begin with a quotation from Alastair MacIntyre's Whose Justice? Which Rationality? (Duckworth; 1988).

'The principles which nous grasps are those from which we argue in setting out those sound deductive arguments which have the status of demonstrations. Demonstration is thus dependent on dialectic for the acquisition of the premises which provide it with a starting point. And this... is equally true of theoretical enquiry and of practical reasoning, unsurprisingly perhaps since the first principles of theoretical enquiry into the nature of practical reasoning and of the practical reasoning which issues in action are one and the same.' (p.91)

MacIntyre's thesis is that we do not have in Aristotle's ethics and politics a theory as such of practical reasoning from first principles, a theory of what the constituents of the good life are, and of how one who is concerned to live the good life ought to proceed. Instead we have a treatise designed to provide those who already have some conception of the good life with a theoretical understanding of this, and of some of the sorts of reasoning they ought in consequence to undertake. The conception of the good life does not come from ethics, and could not be taught to others by ethics. It is gained in various sorts of ways from those around us who already lead the good life. The ethical treatise is a course of lectures upon such a life given by one qualified to impart a theoretical understanding of it. The matter of rational action, which is the goal of ethics, cannot be taught by ethics. This is learned in other ways which ethics then explains, thus making future rational actions more likely and more efficient. It follows that ethics is incapable of teaching those without knowledge of rationality what rational action is. Rational action cannot be taught from some universal set of first principles, but only from a shared conception of what rationality is from which basis the practically wise elder can begin to explain the mechanism of rationality. First principles, the beginnings and ends of rational actions, are not available for deliberation.

Aristotle is always concerned that we do not lose the particular in any enquiry. 'We must, as in all other cases, set the observed facts before us and, after first discussing the difficulties, go on to prove, if possible, the truth of all the common opinions about these affections of the mind' (N.E. 1145b1). In ethics, particularly, this attitude affects his view of the enquiry. We know from Book 1,3 that it is of the nature of morality and of the ways in which we discuss it that we will reach rough outlines and broad conclusions only and that we must be satisfied with this even in the detail of our theory. The problem we have with this, and which MacIntyre addresses, is that the closer the concepts and arguments of a

theoretical enquiry are to being dependent upon the beliefs and outlook of a particular social grouping identifiable by its view of the world and the human good, the less explanatory power these concepts and arguments have for those who do not share these views. If ethics cannot address the uninitiate but is only the theoretical self-reflection of a shared morality, it does not have the capacity to explain eudaimonia to those who do not (by this shared morality's standard) know it, or to criticise it for those who do. Aristotle's conception of ethics, then, is apparently a self-indulgent theoretical explanation of phenomena with no power to criticise or to authoritatively teach or convert.

If this is so, we are left with a dilemma if we wish to follow Aristotle. Either we accept Aristotle's own concept of eudaimonia, realising it is not a theoretically defensible object for us, but accepting it on some pragmatic or idealistic ground, in which case we are holding a Final End not for its self-sufficiency and ultimacy, but because it contributes to another more basic end, which is absurd; or we reject Aristotle's conception of the good life but retain the theoretical form of teleological explanation and the Final Good, introducing and defending a form of the Final Good which is compelling to the aspirations of our society. This, however, is to import from Athenian and pre-Christian ethical theory an explanation of a twentieth century Good, both of how it comes about and of how we explain in terms of it, and to graft this explanation onto that Good with no further explanation of how the two have relevance to each other. To thus sever the tie between action and theory, which is so close for Aristotle, is not absurd, but it does ignore first that the twentieth century conception of the Final Good is likely to make reference to forms of theoretical explanation of, and by, the Good which are non-Aristotelian, and second it gives no reason for grafting teleology on to our conception of the good other than academic faith or fondness.

MacIntyre tries to answer these two points for the Aristotelian by accepting the idea of a culturally determined Final Good but explaining this by an Aristotelian conception of theoretical explanation supposed to be acceptable whatever conception of the Final Good we hold because it is redefined non-teleologically in terms of developing traditions which reveal and exemplify conceptions of the Final Good. He hopes to show the genuine explanatory power of culturally determined concepts by emphasising that these are arrived at within a living cultural tradition: they are developing responses to historical phenomena by a particular people, and not merely contingent on-the-spot responses to random collections of phenomena the adequacy and appropriateness of which is simply a function of their efficacy. Because our explanations are in terms of theories constructed within historical processes, they can have explanatory value not only to those who are within these processes and accept these theories, but also to those outside who do not accept them, in so far as they understand them in terms of the relevant historical processes which locate the theories within the whole scheme of developing traditions. Our theoretical concepts are particular and contingent upon historical circumstances, but just because of this they have explanatory value for those outside these circumstances when they adopt a historical perspective.

Because traditions develop, and because they alter their own boundaries and affect the boundaries of other traditions, it is possible to adopt this historical perspective. When we do so, when we explain things at the level of traditions and not just from within the theories of our own tradition, we demonstrate the compatibility of a culturally determined Final Good with an Aristotelian conception of theoretical explanation, for we demonstrate understanding of explanatory concepts alien to our conception of the Good but derived from a conception of the Good coherent because it is established in the same way as our own conception.

However, Macintyre's response cannot be correct. I have great sympathy with his attempt to demonstrate the dialectical foundation of ethics, but the problem here is that traditions are distinguished adequately only from a position outside themselves, and are understood only in relation to other traditions. When we understand an explanation historically as 'within' the tradition of fifth century Athens, Gaullist France, Calvinist protestantism or whatever, we have succeeded in adopting a point of view which explains the relevant actions not only as 'theirs' or 'ours', but as 'its'; one which explains them impersonally. Such an explanation is understood because it is placed within terms of historical generality and the general is discriminated not by its relation to individuals, but by the relation of the boundaries of the historical tradition to those of other traditions, and by the relation of the explanation to other explanations historically effective upon it. Now, such a historical understanding, although it allows us to interpret the thought and behaviour of alien or remote beings, is quite different from the understanding in terms of their Final Good, the moral understanding, which those within the tradition have of their own actions. It can no longer have the particularity or conventionality of morality, what Aristotle calls the imprecision of ethics, which is crucial to explanation of action in terms of the Final Good. Instead this historical understanding looks for the precision of a science as it attempts to fit forms of explanation of action together and into the general pattern of developing traditions and this pattern within the universal of history. Historical understanding of actions, understanding which depends on adopting the historical perspective towards a conception of the Final Good, is a different understanding from that of one who holds the conception of the Final Good.

The tradition model of Aristotle's theory of explanation of action explains only the establishment of particular conceptions of the Final Good and, in the light of these, the coherence of (to us) alien forms of explanation; it does not provide what for Aristotle is rational explanation of actions: explanation in terms of the theory of the virtues. Macintyre may give a theoretical understanding of alternative forms of rational explanation, but this understanding does not include the sort of explanation of actions which we have from within a tradition. In particular, he cannot be said to have demonstrated that any, and every, culturally determined conception of the Final Good is compatible with the tradition account of Aristotle's conception of theoretical explanation because, though the latter might account for the former, he cannot show that the former in every case can include the latter. Explanations in terms of a Final Good may not be compatible with the tradition theory of

explanation, in which case he has the problem of explaining why we should accept it since for MacIntyre a society's first principles are its fundamental units of explanation.

I think that the particular and the epochal, or general levels of explanation simply cannot be synthesised in the way MacIntyre has tried. He might reject the label of synthesist, pointing out (p.173) that he is aware of the difference between rational justification within a science, and of a science. My point, however, is that he is committed to showing how the justification of a science - through dialectic - can be itself justified through some generalising historical process, and that he neither properly explains this justification of dialectic, nor reconciles the generalising historical perspective with the perspective of the agent whose conception of the Final Good has explanatory value ultimately only because of its historical, tradition-based justification.

If we are to mount a defence of Aristotle's theory of rationality, we must retain the conception of theoretical explanation as the reflection of the standards and opinions of those who hold a particular conception of the Final Good, and we must also cope with the demand that this be made compatible with the need for explanatory power in theory. My suggestion is that understanding of theoretical explanation requires the notion not of tradition but of community. If we develop this it allows us to interpret theory as explanation of very particular phenomena in culturally determined terms, which have explanatory weight but which have this without the need for appeal to universalising or general forms of explanation. I will be developing this idea through succeeding chapters. Here, I say only that my line will be that the life of a community exhibits within itself not only the current norms of explaining, but also in its memories, stories, reminiscences, records and, in particular, its teaching, the understanding of how these became the ways of explaining. In, particularly, the teaching of a community we discover not only the ways of rational explanation, but the account of why these came to be, the story of the development of the concept of rationality. Through all the formal and the informal institutions of enquiry theoretical instruction can be given not only in what to do to be rational, but into what rationality is.

My claim, following Aristotle, is that in N.E. we have an example of instruction to that part of a community which has discovered how to be rational, but not what rationality is. The student of the Ethics approaches problems and questions of rationality through the concepts of the virtues, but he does not yet see these concepts as having developed from within his community of enquiry and as having been adapted in the light of its growth: he has, but does not understand rationality. He is not yet fully rational, but is in the state of wonder in which, repeatedly, for Aristotle, philosophical enquiry has its starting point. The success of a text like N.E. on this reading depends on the degree to which it can articulate the still living history of the community it addresses. It must recreate from the multiform and fragmented perceptions of the community's members their way of explaining things, including their explanation of how this way comes about. It must also teach that in general it is by doing what it itself does that rationality is not only taught but exercised. What is vital, then, is the form of the text, for this is the initiation of already rational beings into the structure of their



own forms of explanation of rational action. As such, the text must recapitulate the genesis of these forms in the student, account for their occurrence, describe their operation, and show itself to be a further product of them. The successful text is faithful to its subject matter (present explanations of rational action), and, because it is itself a product of that subject matter, to current forms of theoretical explanation.

The immense intellectual importance of Aristotle's text is that it not only explains the rationality of the virtues (the standards of rational action) and does this in accord with the standards of a science proceeding from first principles, but also explains itself. It does this in various ways, but specifically in its acknowledgement of dialectic. This places the subject matter of ethics, rational action, within the context of a theory of the determination of first principles not just of the science of ethics, but of all sciences. By doing this Aristotle marks the relation between ethics and the other theoretical studies, and emphasises that in this relation ethics has a fundamental role because it studies specifically that activity, imprecise and inaccurate, in which the propositions of dialectic become manifest in action. In the rational actions of individuals - virtuous actions - we discover the propositions of dialectic, those held by the totality, the many, or the wise (Topics 104a8), become ends of human beings. We will discover when we come to Thomas Aquinas that for him rational enquiry, study of the forms of explanation, is not grounded upon dialectic, but is itself dialectical enquiry. For him, explanation of rational action, ethics, and all other forms of explanation, are alike the work of dialectical enquiry. For Aristotle, however, dialectic is a pre-rational basis on which all forms of rational explanation depend for their first principles. My argument is that the achievement of Aristotle's theory of practical rationality lies not in the particular concepts of N.E., which many still try to build into a contemporary 'Aristotelian' ethics, but a/ in its conception of the relation between such a body of concepts and theoretical enquiry into rational action; b/ the relation between such theoretical enquiry and the education and training in which the practical concepts are learned; and c/ the understanding of this theoretical enquiry, ethics, as dependent on the the pre-scientific standards of a particular community, dialectic.

These points require in turn consideration of the relation between the particular concepts of Aristotle's virtue theory already discussed (particularly, eudaimonia) and the way in which these are taught in ethics; the relation between primary moral training and this ethical teaching; the theory of dialectic. The separation of these three enquiries is, however, a deep error, for it is dialectical enquiry into the opinions, the endoxa which concern morality, which gives rise to the process of ethical enquiry, which leads to the possession of the practical wisdom necessary for training the young in the virtues, which then qualifies them for a course of ethical instruction ... and so on. We must however deal with these points separately because the argument for the overall account is that they mutually support each other. It must, nevertheless, be remembered that they represent a single unfolding process of enquiry which differs only in the varying degrees of reflective awareness of the enquirer.

The Ethics is addressed to those who already have a knowledge of virtue but not an understanding of it (see 1095b3-8). Those who heard the lectures, then, were not being introduced to a quite new set of concepts but to a justification of concepts they already held. Aristotle and his pupils had this much in common. What the pupils do not have, and he does, is the virtue of practical wisdom: the acquired disposition which so affects desire, perception and all the forms of reasoning that the agent can coordinate and organise all the other virtues so as to deliberate means to the good. As this virtue allows him to orchestrate and to bring into play the other virtues, the wise man is qualified to introduce his pupils to the relations between all of the concepts of the virtues which enter into the community's ways of explaining, and to explain the development of this method of rational explanation in the history of the community - the development his own virtuous development has recapitulated.

This view of the role of ethics accords well with Aristotle's declared beliefs about the method of ethics. Much of the method can be discovered at the start of the Book 7 account of *akrasia*.

'We must as in all other cases set the observed facts before us and, after first discussing the difficulties, go on to prove, if possible, the truth of all the common opinions about these affections of the mind, or, failing this, of the greater number and the most authoritative; for if we both refute the objections and leave the common opinions undisturbed, we shall have proved the case sufficiently' (1145b1-7).

The material to be discussed is not the personal selection by the teacher of facts with which he is acquainted. It is phainomena, 'observed facts' in Ross's translation. That they are 'observed', however, does not fully bring out the shared and common nature of Aristotle's appearances (see Nussbaum Fragility of Goodness p. 243). Owen ('*Tithenai ta Phainomena*' in J. Barnes, M. Schofield and R. Sorabji eds., Articles on Aristotle vol. 1, London; 1975-9) shows that the *phainomena* are not the mere data of bare perception, but those beliefs about perceptions, or 'facts', which are apparent in our everyday usage. So teacher and student will share beliefs concerning the subject matter of their enquiry. These beliefs are associated with the 'common opinions' on the subject at hand. These opinions are those 'held by all men or by most men or by the philosophers' (Topics 104a8). The students will possess these in so far as they have been already introduced to the virtues by precept and example, and the teacher will have them in virtue of his practical wisdom. Beginning with the endoxa, then, is a way both of beginning from authority (because these are the beliefs of the many and the best) and from a common ground.

Since these common opinions have a multiplicity of sources, we are bound to encounter difficulties and conflicts among them. After surveying the opinions, which itself shows the pupils something of the relations between these and therefore of the explanations of them, the teacher of ethics turns to the 'difficulties'. Here he will discuss any conflicting alternatives, and, using the skill he possesses as *phronimos*, seek solutions. He is capable of choosing the answer which best coheres with the common opinions (the third requirement in our description of ethical enquiry) for he is practiced in the forms of thinking which Topics describes as

necessary for arriving at first principles, and in the forms of thinking involved in practical reasoning. In choosing the alternative which best fits the whole range of the endoxa, he confirms the authority of the opinions which he as phronimos, and those (parents and others) who first introduced his pupils to the virtues as phronimoi, absorbed in their own moral maturing. These opinions according to the method of Aristotle's Ethics represent the pre-scientific beliefs of the community. It is those of these that concern the explanation of human action, those he considers to represent the moral beliefs of the community, which the teacher of ethics will explain in his theoretical account of rational action. Ethical enquiry resembles all enquiry in its concern for saving the appearances, but in ethics the appearances, the endoxa, are also the subject matter. The objects of theoretical study of the explanation of the growth of plants, the life of the gods, or the processes of generation and corruption are the growth of plants, the life of the gods and generation and corruption, and how we explain these in the science is determined by the pre-theoretical endoxa from which we grasp the first principles. However, the objects of ethical study are the endoxa concerning the explanation of action themselves; there is no neutral specification of what are rational actions (as one can specify what are animals, gods, and life and death) but only the opinions of a particular community as to how actions are to be explained, opinions which then give us the criterion of rationality and the first principles of ethics.

The fact that in theory of rational action alone the subject matter as well as the first principles of the theory are the endoxa concerning explanation is important because it suggests that the method of this theory, unlike that of any other sorts of theory, must not only respect the appearances by reasoning specifically from them, but must never contradict them by introducing into the scope of the theory anything that is not the opinion of the most, the best or of all. The theorist of plant growth may also be a discoverer and expert who can bring new botanical evidence gradually to the novice, but the moral philosopher cannot intelligibly introduce any new evidence or data concerning rational action to his audience. It is the audience alone which could conceivably introduce new data to the phronimos. This is why we find confusing those scattered remarks in the Ethics where Aristotle appears to be saying that human nature (every last human being) requires health, good looks, honour and so on. We naturally believe there is some extra-political, 'natural' standard of the good to which the moral philosopher, like the expert, has access. But the wise man has access only to his fellows, and the hints of basic goods in Aristotle's text are elements of Athenian morality and not of some hidden universal morality.

It is precisely because of this methodological difference between ethics and the other sciences that I differentiate the theoretical study of our beliefs concerning rational action from all the other sciences: the latter are theoretical explanations of phenomena and the former theoretical explanations of our pre-theoretical forms of explaining action. Ethical explanation is a process of demonstrating how we come to have the present opinions, and therefore that those we specify are the present opinions, the standard of rationality. It is not a process of demonstrating from the present opinions, qua first

principles, the nature of certain, independently specifiable, phenomena. This difference obtains it seems to me because ethics is closer than any of the other sciences to dialectic. We have already touched on the notion of dialectic. Before we can explain it and, by relating ethics to it, understand the relation of dialectic to the method of Aristotle's Ethics, we should first consider the role of the primary moral training given to the young and its relation to ethics. I preface this with a consideration of the aim and the subject matter of ethics which will defend the present claim that teacher and students share knowledge of the virtues.

At Book 2, 2, right at the beginning of the actual treatise on the virtues for which Book 1 has prepared us, Aristotle writes, 'the present enquiry does not aim at theoretical knowledge like the others (for we are enquiring not in order to know what virtue is, but in order to become good, since otherwise our enquiry would have been of no use)' (1103b26-28). This appears to contradict what I have said about the nature of ethics. However, although it is true that the aim of ethics is not knowledge of virtue but becoming good, the aim of ethics will not be achieved unless virtue is known, rather than, for example, merely imitated in virtuous action. Unless the agent possesses practical wisdom he will not be capable of rational action: his virtuous actions will be performances and not habitual. 'No one becomes good unless they are first wise': harsh as this slogan seems, it accords well with the work of the philosopher who explains rational action as that ultimately aimed at intellectual contemplation. Ethics is a theoretical study: it provides theoretical knowledge of the virtues by scientific methods, but its aim, as Aristotle says, is not this knowledge but the turning into *phronēmoi* of those who study it, or rather, the performance by them of rational actions.

After the passage quoted, Aristotle goes on immediately to say 'the whole account of matters of conduct must be given in outline and not precisely, as we said at the very beginning that the accounts we demand must be in accordance with the subject matter' (1104a1-3; the reference here is to 1094b11-27). Ethical enquiry is concerned with the particular, here the endoxa, not with the universal, and thus it cannot have the precision of other scientific enquiries (1104a6: 'the account of particular cases is yet more lacking in exactness'). Taking this together with the above passage, we have the picture of ethics as a study different from others in that its end is practical (individuals becoming good) and its subject matter is particular (the endoxa), not open to study by definitions (which concern the universal) but only explicable 'in outline'. Just as in discussing the method of ethics we saw the connection between ethical enquiry and the opinions of the many and the wise, which the students know and the master both knows and understands, so in considering the purpose of ethics and its imprecision we see the orientation of ethics towards the becoming good of the individual by theoretical study of the opinions. We can understand now why it is only when the students already possess the knowledge of the good that teaching of ethics can take place. It is not only that this is the necessary 'starting point' for learning how to apply the general rule to particular situations (1095b4-8), but that the end of ethics and the subject matter of ethics are one - the end is the future becoming good of the individual, and the subject is the individual as



sharer within the community of the common endoxa. The student must already know the good because the aim of ethics is not this knowledge, but good action which depends upon this, and because the subject of ethics is not the universal (which could be taught from the particular), but the particular itself, the endoxa, which cannot be taught. The subject matter and the aim of ethics confirm the claims so far made concerning the method of ethics.

Having shown the conception of ethics requires that master and student share knowledge of the good, we shall enquire how this comes about. As the good is defined with reference to activity in accord with virtue, knowledge of the good must begin with this activity. We must consider the process of moral education in which the practice of virtue is acquired.

Book 2, 1 makes a contrast between intellectual virtues which are acquired by teaching, and moral ones which are acquired 'as a result of habit' (1103a14-18). This could lead to difficulties in understanding how moral virtue might be imparted from one to another. Habit does not seem to provide either for reasonable persuasion of the young, or for their successful discoveries of the reasons for their elders' patterns of behaviour. These difficulties are avoided if we understand the contrasting ways of acquiring virtue as acquisition through practice, though without understanding, of virtuous acts in the case of moral virtues (we are 'made perfect by habit' 1103a25); and acquisition through 'experience and time' (a16) of those virtues whose objects are in the case of practical wisdom, not individual actions, but the ability to marshal and organise (morally virtuous) actions, in the case of philosophic wisdom, truth, and in the cases of the other intellectual virtues objects of various different sorts. The contrast is not between different ways of acquiring different virtues, or the temporal order of acquiring virtue, but between the different logical components of acquiring virtue. Virtue is learned, and in the case of our actions we must learn the virtue of practical wisdom gradually through 'experience and time' as we are building up the habits of morally virtuous action otherwise we will be unable to deliberate towards the good; and we must act while we are learning wisdom in the way we perceive to be virtuous otherwise we will not gain the character with which we will discover our good and discover our desires coming into line with our good.

The beginning of the acquisition of virtue lies in the advice of 1143b11-13 that we 'ought to attend to the undemonstrated sayings and opinions of experienced and older people or of people of practical wisdom not less than to demonstrations'. In the undemonstrated sayings of the experienced of the community we find the source of our practical wisdom. We may not at this stage understand this, but we can begin to habituate ourselves in those opinions which those of practical wisdom do understand. Thus we can provide ourselves with the means of building up our propensity to act for the good, and we can familiarise ourselves with the first principles of ethical enquiry through which we may come eventually to understanding of the virtues. The morally virtuous character which will lead us to virtuous action will not, however, be acquired simply by listening to and agreeing with the undemonstrated sayings; with the best will in the world we will not acquire virtue without doing virtuous things.

Aristotle does not seem to think we must force ourselves to imitate unthinkingly our elders. Instead he concentrates on the fact that for the uninitiate to begin to practice virtuous acts he must first see his situation in the way in which a morally experienced man would see it, and must not only make being virtuous, but also doing the things the virtuous do one of his goals. He must see what the phronimos sees is to be done, and must want to do it. The discussion of actions done in accord with virtue and those done for the sake of virtue in Book 2,5 (1105a27-34) adds two conditions related to these: he must want to do virtuous actions because they are virtuous actions and for no other reason, and he must allow disposition towards virtuous action to become part of his permanent character. The total explanation here of the process of virtue acquisition makes it clear this is no automaton-like process of imitation and ignorance.

The four conditions mentioned in Aristotle's account of acquisition are explained with the interdependent notions of induction, perception, habituation and education into virtue. This account is in no way continuous, but is scattered throughout the text. However, it does seem to indicate elements of Aristotle's vision of primary moral education, and it does suggest a coherent explanation of the transformation of the morally immature into students of the virtues. Induction, for Aristotle, is the process in which we infer from a number of instances the universal these exemplify. This movement from particulars to universal is a form of inference in which we grasp in a non-deductive way the truth concerning the type of things we have been examining. This grasping is described as an act of intuitive perception, of nous. The object of this perception can then be understood as the starting point of a science in which particular instances of this universal are studied. The account of induction in moral education (see Sorabji in Rorty ed. p.215) is given at 1143b1-5.

'The intuitive reason which is presupposed by demonstrations grasps the unchangeable and first terms, while the intuitive reason involved in practical reasonings grasps the last and variable fact, i.e. the minor premise. For these variable facts are the starting points for the apprehension of the end, since the universals are reached from the particulars; of these therefore we must have perception, and this perception is intuitive reason'.

This is far from a clear account, but it seems nous grasps the first principles in practical reasoning from among 'variable facts', that these point us toward the end of our piece of reasoning, that the relation of variable facts to end is that of particular to universal, and that nous must be perception-like in its ability to grasp the variable facts. The proximity of this to the advice to listen to the elders (b13) makes it likely, as Sorabji thinks, that this is Aristotle's account of how we come to see our situations as the phronimos would see them. We consider the particular things the experienced do, the reasons they give for doing them, perhaps attempt imitating them. Then from consideration of the particular facts of their situation and of our present one, we infer the universal concerning what is to be done, and this object of nous provides us with the end, and the starting point, of our practical reasoning. Doing what the elders do thus leads us to see our situations as they would see them: in terms of the end which is to be pursued.

We must also take this end over into our own desires as one of our goals; not just something we strive for in so far as we are learning virtue, but something we strive for because we want it. This is a matter of upbringing. Normally education into the virtues will be sufficient to inculcate in us pleasurable feelings at virtuous action (1104b11: 'we ought to have been brought up in a particular way from our very youth, as Plato says, so as both to delight in and to be pained by the things that we ought; for this is the right education'). But the connection here is not merely contingent: 'For moral excellence is concerned with pleasures and pains; it is on account of the pleasure that we do bad things, and on account of the pain that we abstain from noble ones' (b8-10); 'if the virtues are concerned with actions and passions, and every passion and every action is accompanied by pleasure and pain, for this reason also virtue will be concerned with pleasures and pains' (b13-16). Pleasures and pains often lead us astray. We ought to have been brought up so that our very desires are such that they harmonise with what is good and shrink from what is not.

It is then part of being brought up and educated in the virtues that by acting virtuously one begins to take pleasure in acting virtuously. It seems obvious, however, that one could act like the virtuous without acting virtuously; that one could perform the actions without wanting to. But this is to forget that virtuous actions are done for the sake of reaching the good. We do not act virtuously for the sake of virtue but for the sake of achieving a life of a certain sort. Once the young learner comes to know eudaimonia his virtuous actions and his desires will be one, for he will hold as the final end of his actions something of self-sufficient and ultimate desirability, and, furthermore, this something will be not only reached, but realised in virtuous action. At a certain stage in his moral education he will come to know the object of supreme desirability, and his desires will alter; so long as he does actually complete the course and acquire practical wisdom, they will not fall out of step with the performance of virtuous action again.

This, of course, also accounts for the fact that the learner must perform virtuous actions because they are virtuous. If virtuous action has intrinsic value, and we cannot fully be trained in virtue without recognising the supreme desirability of a lifetime of action in accord with highest virtue, it follows that at some point in his moral education the student will experience an alteration in his desires which, he may realise, means he is now acting virtuously not in order to gain entry into the moral community, but because he is now in it.

The remaining of the four conditions was that virtuous action must become part of the student's character. To ensure this, there is no alternative but habituation in practice, and then consolidation of this through coming to understand virtue by learning from a man of practical wisdom. With this requirement we cross from basic moral training to the study of ethics. Ethics is the final object of study in this section, in particular the relation between dialectic and ethics.

Ethics is intended for one who has knowledge but not understanding of virtue. Understanding of virtue will come only with practical

wisdom which is 'concerned with the ultimate particular, which is the object not of scientific knowledge but of perception' (1142a27). This virtue, like the other intellectual virtues, can be acquired only with experience and time. Furthermore, given its concern not with the universal but with the particular (see 1141b16), practical wisdom requires the arching experience of a lifetime; it cannot be wholly gained simply by exposure to the practical wisdom of others (1142a12-19). There certainly will be no practical wisdom without induction, perception and habituation, but because its concern is with the ultimate particular and not with a universal arrived at through induction, the goal of practical wisdom is the sort of perception of one's situation not as one instance of a universal, but as a particular, unique, unrepeatable state of affairs of which, however, virtue allows us to make some order; the sort of perception that comes with a lifetime. Practical wisdom, born of long experience, allows us to see situations which to the uninitiated appear discrete and chaotic as falling under the order of virtue which suggests that even in this confusion there is an appropriate action to be performed. Practical wisdom is perception not of the first principles of action governing one's situation (this is nous), but perception of one's situation as governed by such-and-such principles of action.

If practical wisdom is the point of ethics, and, as suggested, this is a question of learning the practical ordering of one's life, and learning this over a complete lifetime, what role can ethics play in reaching this?

I believe that ethics, theoretical study of rational action, has a vital role within the cultivation of practical wisdom because of Aristotle's conception of the nature of ethical enquiry. Ethics does not choose its own method; its subject matter determines this, and its subject matter does not exist in a pre-determined vacuum but is provided by the projects of pre-theoretical enquiry continuing in a particular community at the moment. When we engage in theoretical study of the virtues we do not disengage ourselves from the world of practice of the virtues and form our own project of enquiring how to perform rational actions. We merely practice the virtues in a more critical way; not through induction, habituation and experience over a lifetime, but through applying to the subject matter of induction and experience - the endoxa - those questions which the phronimos, the teacher, has raised in the course of his lifetime of acquiring practical wisdom. We consider the 'observed facts', raise difficulties and alternatives, and finally choose the solution which fits best with the endoxa. This method of ethics is theoretical study of the practical, but is not divorced from the practical, for the method is dictated by the subject matter - those opinions which are held (the virtues) - and it is taught by one who has acquired practical wisdom as the recapitulation by him, at the level of theory, of the practical experience of his life. (Aristotle is clear, however, that ethics is a science. See, for example, E.E. 1227b23-5 where virtue, not inference or reasoning, makes the end of practical reasoning right and this is described as a 'starting point' - arche - the usual description of the first principles of a science; and 1227b28-30; 'as in theoretical sciences the assumptions are our starting points, so in the productive the end is starting point and assumed').



I do not think the text is clear whether practical wisdom can be acquired without ethics in the course of a complete fully virtuous life. I can make little sense of anyone achieving the full set of virtues, including the ability to marshal all of the moral virtues, without the sort of self-conscious learning of practical wisdom at a stage during one's life through formal, or perhaps informal, study of ethics. Also, the claim that wisdom must be learned if life is to be virtuous accords with the conception of eudaimonia as intellectual. In any case, ethics, alone of the sciences, is not severed from practice and studied for knowledge. The basis for this understanding of Aristotle's Ethics is not his remarks on ethics, but his theory of dialectic.

Dialectic is the means of providing sciences with their first principles. It is, therefore, non-scientific, or pre-scientific. J. Evans (Aristotle's Concept of Dialectic, Cambridge; 1977) has argued that dialectic is to be understood as a quite distinct enterprise from that described in the various other texts of the Organon (p. 93-4). However, he also believes it is not separate from the argument of the ethics, but is responsible for the account of dynamic progression in ethical thought which the argument of the ethics puts forward. We must discuss how dialectic reconciles within itself this dynamism and the production of first, undemonstrable principles. This is the explanation of my suggestion that the fact Aristotle's ethics is directed to those sharing his particular, Athenian conception of the good should be understood in terms of the forms of explanation of action they accept and the history of their community which lead to these forms being accepted.

Dialectic explains this process of coming to accept the current forms of rational explanation. It also explains how dynamic progress and particular context-bound explanations of rational action by first principles can occur within the same community. By doing this, it explains how the practice and exercise of virtue is an on-going process which yet does provide certain first principles; how the content of practical wisdom is never exhausted in knowing but always enlarging itself through the virtuous actions it causes; and how the study of rational action, ethics, can both be the study of pre-theoretical enquiry as a developing activity of a community and the learning of a particular set of first principles.

The object of Topics is the understanding of dialectical reasoning. This reasoning is distinguished from demonstration which moves to conclusions from true and primary premises (see V. Kal, On Intuition and Discursive Reasoning in Aristotle, Leiden; 1988 pp. 22-31 on the broad distinction between two forms of dialectic, the syllogism and induction, in Topics). Dialectic 'reasons from opinions that are generally accepted' (100a30). Premises are true and primary if believed on the strength of nothing but themselves; opinions are generally accepted if 'accepted by everyone, or by the majority or by the philosophers' (100b22). Dialectic helps as a training of the mind, in casual encounters, and in the sciences (Book 1, 2). The latter it serves as follows:

'It has a further ((to raising difficulties)) use in relation to the ultimate bases of the principles used in the several sciences. For it is impossible to discuss them at all from the principles proper to the particular science in hand, seeing that the principles are the

prius of everything else: it is through the opinions generally held on the particular points that these have to be discussed, and this task belongs properly, or most appropriately, to dialectic: for dialectic is a process of criticism wherein lies the path to the principles of all enquiries' (101a36-b4).

Dialectic, then, is not one of the several sciences; it has no concern with truth, but with those other subjects which have as their goal truth or 'truth in agreement with right desire'.

The starting points of dialectic are many: 'a dialectical proposition consists in asking something that is held by all men or by most men or by the philosophers, ... provided it be not contrary to the general opinion' (104a7ff.), in addition to views like the generally accepted ones, propositions which contradict contraries of the generally accepted ones, and opinions in accord with the recognised arts. The problems dialectic deals with are also many (104b1-3: 'a subject of enquiry that contributes either to choice and avoidance, or to truth and knowledge, and that either by itself, or as a help to the solution of some other such problem'; and the subject must be one on which people hold no opinion, or concerning which the people contradict the philosophers, the philosophers the people, or each among themselves). How, then, does dialectic ever come to group these opinions concerning an unlimited range of subjects so as to provide undemonstrated principles for the sciences?

The answer to this is excellently given by Nussbaum (ch.8,3) in a section on the principle of non-contradiction. In Metaphysics 4,4 Aristotle describes how to answer one who mistakenly demands a scientific proof of the principle. The famous answer is that you make the objector speak, and if he does, you show he has already presupposed the principle in questioning it. The interesting point is that the questioner demands the proof from apaideusia - 'for it is apaideusia not to recognise of what things you should look for a demonstration and of what you should not'. Nussbaum explains that apaideusai is lack of paideia, 'the education by practice and precept that initiates a young Greek into the ways of his community; the word is usually translated 'acculturation' or 'moral education'' (p.252). So what we are pointing out to him by getting him to speak is that he is exhibiting some form of break with the community we have in common, made manifest in his questioning the basic structure of our language itself. The truth and primacy of first principles rests in their being true for us: they are the starting points of discourse of a certain sort for one with whom we share a common form of life. With one who did not share a sufficient variety of practices and institutions with us there could be no argument concerning first principles, for even if he had a strong alternative, though conflicting, set, we would lack the common ground of a shared set of concepts in terms of which we could discuss our differences.

With practical first principles as well as theoretical ones the key lies in our shared community of understanding and practice. One who can question the principle that we ought to act for the sake of the virtues has put himself outwith our community, though one who wants to understand why it is we are to act in this way has not. It is for this reason that those who attend the lectures on ethics should already have had some moral training so that they are already inside the moral community, and beyond asking such questions. The first task

of dialectic is, by enquiry of the many and the wise, to establish those first principles from which the various sciences proceed, and, especially in the case of ethics, those by which it ought to proceed. This enquiry is not, however, something carried on formally in the home or the academy; it is pre-scientific, and is progressing as long as the community is acting upon and living by and reflecting upon the norms of the day. The presuppositions of thought and action in the community are continually engendering the principles of thought and those of action, the virtues which will be perfected in the science of ethics.

This view of the first principle may seem to clash with that of the close of Book 2 of Posterior Analytics. At 100b8 we are told that of 'the thinking states by which we grasp truth' scientific knowing and intuition are always true. Intuition, however, is 'more accurate' than scientific knowledge (b9). Scientific knowledge is discursive, but the primary principles from which such demonstration proceeds are 'more knowable than demonstrations' (b10). It follows, then, that there will not be scientific knowledge of these principles, but that they will be known through the 'more accurate' intuition. It is nous that knows the first principles. However, Aristotle is clear that knowledge of the principles is neither innate, nor a sudden acquisition: 'it emerges that neither can we possess them from birth, nor can they come to be in us if we are without knowledge of them to the extent of having no such developed state at all' (99b31). He cannot make sense either of having the knowledge from birth or of realising, or gaining it without any pre-existing knowledge of the subject. Yet we do know first principles, so the answer must refer to a process different from innatism or discovery: 'Therefore we must possess a capacity of some sort... a congenital discriminative capacity which is called sense perception' (99b32-5). Knowledge of first principles is acquired as a process proceeding from sense perception of particulars. Aristotle goes on to describe how in certain animals this perception leads to retention of the sense-impression, systematisation of it, memory, experience, that is, the 'stabilisation' of the universal, and, from this, the skill of the craftsman and the knowledge of the scientist.

This description of the inductive process of coming to know first principles makes clear that all such states of knowledge are from sense perception (100a11), and that sense perception leads to the knowledge because of the capacity of certain animals - humans - to process impressions inductively. Inductive sense perception leads to the knowledge of first principles; nous is that one of the 'thinking states by which we grasp truth' which knows them.

Inductive sense perception alone, however, would not suffice to reach first principles. It must be directed. It might have been directed by nature, innately, or by intellectual development, but Aristotle never favours these suggestions. It cannot be directed by experience, because experience is a result of perception (100a6). Instead, I claim, it is directed by dialectic. I have stated already that dialectic accounts for the production of first principles, now, in making this compatible with the account of sense perception producing the knowledge of these and nous knowing them, I mean also to indicate how dialectic accounts for the dynamism of intellectual and practical enquiry.

The relation of sense perception to nous in the inductive process in which we come to know first principles is that of nous to perception within practical reasoning. At 1142a20-30 we read that nous is of 'the limiting premises', 'while practical wisdom is concerned with the ultimate particular, which is the object not of scientific knowledge but perception'. This is 'another kind of perception than that of the qualities peculiar to each sense' (a30-1); not the perception of qualities, but that intelligent perception by which we see that the object before us is a triangle. Again, at 1143b1-5 we read that nous grasps the 'minor premise' as 'starting point' in apprehending the end. The relation of minor premise to end is expressed as that of particular to universal, and we are told there must, therefore be 'perception' of the minor premise, and that this perception is nous, intuitive reason. In the first passage we apprehend the minor premise by nous and practical wisdom concerns itself with the 'ultimate particular' which is the object of an intelligent perception. In the second we apprehend the minor premise by nous because it plays the role of particular and must therefore be perceived and the sort of perception in question is nous because the result of this perception will be apprehension of an end, which is always the work of nous. The sort of perception in both cases is not the simple perception of qualities, but the intelligent perception of things.

The point is made in two different ways: in the first case, by speaking of the concern of practical wisdom which is for the particular, but the 'ultimate' particular, thus invoking intelligent perception; in the second case, by introducing the induction of universals from particulars in sense perception, but comparing this to grasping the end from the premise in practical reasoning which is not inductive, but more akin to perception, intelligent perception. The relation of intuitive reason, nous, through which we know the minor premise, the variable facts, to intelligent perception in practical reasoning is the same as that of sense perception, through which we know the particular, to nous through which we come to know the first principle, in the inductive process described in Posterior Analytics 2.

The importance of this is that we can now see how dialectical enquiry, through which we come to know the ultimate particular with which practical wisdom concerns itself, gives rise to a sort of perception which is nous, and how this perception operates as the result of inductive sense perception. The ultimate particular of practical wisdom is practical and it is imprecise: it is the performance of good action by the standards of the good of the community. I have already described in the section on moral training and education how the inexperienced come to know the community's standard by saturation and inductive habituation in its culture - the virtues - and how this process is continued in ethical enquiry at the feet of one who has practical wisdom, who reasons in accord with the standard of the virtues. Upon completion of this process, the student is qualified to act in the light of the good, a standard which is still imprecise because it is that of a particular community and will be applied by him in his own particular situations, but which is now the object of intuitive perception. In moral training and ethical enquiry dialectical enquiry is very close to the surface. Because the object of moral education is



practical and imprecise, dialectical enquiry concerning the community endoxa is much more apparent than it is in species of non-practical enquiry which are characterised by precision and simplicity of subject matter (see Metaphysics 982a25-8). In the theoretical sciences which are pursued for the sake of knowledge of the universal dialectic is further from the surface - though it is still evident in that it is the conclusions of the syllogisms of theoretical investigations which provide the subject of fresh enquiries, and the first principles can alter on the hypothesis of radical alteration in the endoxa. In that science which concerns the 'ultimate particular', however, we can follow the operations of dialectic clearly, in our own moral maturing and in the method of Aristotle's Ethics, as discussed above.

We now know that when dialectic, whether pursued through ethical study or for its own sake, reveals to us the 'ultimate particular' this is grasped as knowledge of first principles of rational action by nous. This is a sort of intelligent perceiving of the nature of the good which provides us with the end of our practical reasoning. The object of this intelligent perceiving, which dialectical enquiry has revealed, has the form of knowledge of principles because of the operations of inductive sense perception. That is, dialectical enquiry can confront the good, but this is not perceived, through nous, as the good - we do not have knowledge of first principles of action, principles which must be followed if we are to attain the good - unless induction through sense perception has occurred to transform sense impressions of virtuous activity into knowledge of the virtues.

This shows that knowledge of first principles can both be provided by dialectic and known by nous. It also demonstrates how dynamism of intellectual enquiry is explained by dialectic. Dialectic concerning the opinions is always below the surface of scientific enquiry, and is clearly apparent in the case of ethical enquiry. Although distinct from dialectic, ethics is always transparent to dialectic: to study ethics is to take part in an enquiry with first principles, but given the complexity, particularity and consequent lack of precision and predictability of ethics, the perception of situations in accord with these principles as appropriate situations for certain action requires constant involvement in the activity of dialectical enquiry. Practical wisdom - the object of ethics - is not to be once achieved and subsequently put into operation; it is acquired only so long as one has learned that one has to be the sort of person constantly engaged in the enquiries of the community so as to understand what is to be done in every situation if the good is to be achieved.

That practical wisdom requires constant involvement in dialectic is the truth behind the remarks that the object of study of ethics is both practical, and the result of participation in the community mores by social creatures: the virtues ethics teaches require active participation in the shared life of the community. This explains why ethics can never be a 'completed science' - it involves dialectic essentially, and dialectic is pre-scientific. It also shows that the initial basic moral training, ethics and dialectic cannot properly be considered in independence of one another. The points concerning the practicality, particularity and imprecision of ethics can only be demonstrated and understood if we grasp the interconnections between

the political community, the science of theoretical enquiry into rational action and the practices of basic moral training. The evidence for this account of the special relation between ethics and dialectic is from Topics. Dialectic, like ethics, is imprecise. It involves 'the doing of that which we choose with the materials that are available' (101b7), and is done such that 'if he omits none of the available means, we shall say that his grasp of the science is adequate' (101b10). This is because, like ethics, it is concerned with doing and not with knowing; not with demonstrating the truth of a proposition but with convincing a particular person, using logical forms of argument, of the truth of a proposition. For example, 'You should display your training in inductive reasoning against a young man, in deductive against an expert' (164a13-14). Its concern is with the particular and not the universal. Also, dialectic requires for its practice that the one of whom you enquire is not just anyone but someone suited to the task: 'Do not argue with everyone, nor practice upon the man in the street: for there are some people with whom any argument is bound to degenerate' (164b9-10). And a little further on we are told, 'Wherefore the best rule is, not lightly to engage with casual acquaintances, or bad argument is sure to result. For you see how in practicing together people cannot refrain from contentious argument' (b12-15). There is, therefore, a close connection between the practice of dialectic and those with whom we share a certain common form of life, and dialectic is a form of reasoning which is practical, imprecise and concerns the particular.

This suggests that dialectic must be very closely related to ethics. This relation is of distinct enquiries, but ethics is uniquely dependent on dialectic not only for its first principles but also for its practice: we cannot turn from dialectic once we have the first principles of ethics as we can with, for example, mathematics, but must keep taking part in dialectic. This is so because knowledge of first principles of rational action and of ethical method is not sufficient for acting virtuously, which is the point of studying ethics; this requires living virtuously within our community. This alone, the practice of virtue, gives us the moral perception which he says is of the 'ultimate particular'.

As ethics does not simply take its first principles from dialectic, but involves dialectical enquiry directly if we are to attain its object, it seems obvious that ethical enquiry will be dynamic. It may, therefore, proceed and develop without end, and this despite the fact that it is enquiry from a set of first principles. It is not of the nature of ethics that there is some truth it will reach upon which the science will be completed. A complete, per impossibile, science of ethics would be redundant because ethics is engaged in only for the sake of teaching a truth whose nature, unlike other truths, is not invariable, but is constantly changing: truth in agreement with right desire.

If this account is correct, the sort of practical/moral life outlined in the first section as eudaimonic though not the highest good towards which every action of the virtuous must be directed, can be represented as a life lived as the result of learning and practicing the principles of action of the whole community, most of its members or the best of its members. This learning may come as the result simply of moral training, or of this together with ethical enquiry of

some sort and specific pieces of dialectical reasoning. Such a life of action in accord with moral virtue is not, I claimed, the highest good, but a means to this. However, it also possesses value in itself because it is a means to the highest good. We now have the grounds for stating why this is so. A life of moral/practical virtue will be one which is immersed, whether directly or through its moral training or through study of ethics, in the endoxa, the opinions of the whole, the many or the best. A practically virtuous life is not merely lived within a set of first principles of rational action, but is pursued within the endoxa of one's community. These endoxa are not just producers of principles for the sciences; they are the form of life of a community, those beliefs which are criterial for membership of a particular community. To live within them is to identify oneself as a member of a community, to take one's role as a citizen, and to take responsibility as a citizen for practicing, developing, extending, revising and teaching the endoxa. A life of practical virtue satisfies the criterion of ultimacy in that it is founded on the endoxa which are the most basic beliefs, and satisfies that of self-sufficiency in that though theoretical contemplation is higher, it is not actually 'other' than acting in accord with the endoxa but reasoning based on the endoxa grasped by nous, intuitive reason, as first principles. The relation of dialectic to ethics explains how theoria can lend ultimacy to practical forms of activity which are means to it: because it has ultimacy in the first place only from the endoxa which dialectic considers; and how it can lend self-sufficiency: because the principles from which theoretical contemplation proceeds are nothing other than the result of nous applied to the result of considering the endoxa, and therefore ultimately take their own self-sufficiency from the endoxa.

Contemplation and the various forms of moral/practical activity are, then, conceptually inseparable for Aristotle. Thus eudaimonia must consist both of activity in accord with the moral virtues and of theoretical contemplation because performance of these distinct species of activity have their common source in the opinions of particular communities. The relation of dialectic to ethics also shows that Aristotle's account of rationality is mistakenly interpreted as absolutist. The forms of practical reasoning from first principles are explained not by appeal to an external and invariable standard, but by the dynamic basis provided by the activities of pre-scientific enquiry, non-theoretical communication, in particular communities, and the exercise of intuitive reason in grasping the present results of these enquiries as first principles. Activity directed towards the good, rational activity, proceeds from first principles, but does not have its beginning in any source outside the opinions of the community, and that these are what they are is, of course, only ever contingently the case.

The concept of rationality which I have attributed to Aristotle will provide the basis for a structurally basic account of rationality as activity, whatever the theory of rationality we construct. That is, the notions of a community and of the members of that community communicating in a pre-theoretical yet theoretically basic way are the foundations of my own account of rationality, which I understand as anterior to any theories of rationality. I will attempt to explain

the ways in which these notions are basic to rationality by next considering Thomas Aquinas's theory of practical rationality. This combines Aristotle's understanding of the relation between dialectic and ethics with the biblical idea of God's Law, or the Eternal Law, to produce a 'Natural Law' through the principles of which we discover not the identity of rational action with the rule of the cosmos, as the Stoics thought, but the identity of reason with dialectic in the human community.



## Chapter Two.

I have argued that for Aristotle rational action is action performed as a result of a perception of one's situation formed by the moral and intellectual virtues and deliberated correctly as means to the Final End of a lifetime of virtuous activity. I have also claimed that all theoretical enquiry, including moral enquiry, is based ultimately upon the contingencies of the common opinions of the members of particular communities; that study of and reasoning about these opinions is dialectic; that basic moral training and informal education in the opinions is the first qualification for the study of all the sciences and for the possession of the practical wisdom which is the character of one who typically performs rational actions; and that practical wisdom is the result of the study of the science of ethics, a study which resembles dialectic in many respects, but differs in that its aim is good action, whereas the aims of dialectic are intellectual training and the production of first principles of science. This conception of ethics explains it as based upon a complex of intellectual capacities some of which we might like to call 'practical' - perception, training, action - and some 'theoretical' - education, induction, judgement, exercise of intellectual virtues - operating within contiguous and overlapping processes of early learning, moral training and particular exercises of the virtues. However, the very fact that ethics is based upon all of these, shows that the theory/practice distinction is of no more use in understanding Aristotle's concept of ethics than the opposition of reason to passion is of use in understanding his concept of rational action. To say that Aristotle's ethics is practical - because of its end - or theoretical - because it reaches its end only by teaching the first principles the phronimos must possess - is unhelpful because it obscures the fact that it is the basis of ethics that determines both its end and its principles, and this basis is a practical/theoretical complex. Ethics, like all scientific enquiry, proceeds by demonstration from first principles, and these are arrived at and maintained only so far as one has an understanding of the current endoxa which is given only through participation in forms of non-theoretical activity. The overlapping borders between the theoretical and the practical in this conception exist, then, because ethical enquiry concerns, and takes place within, the exercise of various intellectual capacities which cannot be described as either theoretical or practical, but form a complex of both. For Aristotle, enquiry, even of the most abstract sort, demands participation in those on-going practices of the community which provide and sustain its first principles, just as rational action requires not only reasoning, including participation in ethical enquiry, but participation from earliest years in non-rational forms of activity. The interrelationships between the concepts of theoretical and non-theoretical activity, and demonstration and dialectic upon which Aristotle's theory of rational action depend demonstrate just how far Aristotle is from the Cartesian and post-Reformation dichotomies of theory and practice, reason and passion.

By considering Aquinas's theory of practical rationality we will see that for him the idea of rational action as action correctly directed towards the life of activity in accord with the highest virtue and the idea of enquiry as apprehension of the endoxa as first principles form a single theory of (good) activity as the participation in enquiry of the soul within the (true human) community.

#### Thomas Aquinas.

Thomas Aquinas (1225-74) was a Dominican teaching friar. We cannot understand his work if we lose sight of this. As a preaching friar, his teaching is directed to the final end of the communication of the Gospel through his preaching. His vocation is not teaching or theoretical contemplation; it is preaching. This means that unlike Aristotle's, his works cannot aspire even to the form of a completed science. The result of intellectual effort of even the greatest sort for Aquinas is frustration at his inability to say anything, however slight, concerning the mysteries of the Final End of his system, of God Himself. Aquinas's Final End stands always outside Aquinas's forms of communication, attainable only through a form of communication beyond human language which occurs, for most, only after death. I will return to the role of communication and of theory within Aquinas's teaching. In the meantime it is to be borne in mind that theoretical labours occur within the context of preaching, communication through the spoken word; and that no forms of human communication alone can carry us to the mystery of God which, for Aquinas, is the Final End of all human communication.

Aquinas believes that the good is that to which things move because of their own principle, or intrinsic nature. All things tend to the good. Only human beings do good, but all things, in so far as they are what they are and not distorted by external influences, tend to the good, in most cases inevitably. The end to which human beings move by virtue of their human nature, in so far as they are not unnaturally affected, for example, by the passions, is one to which they tend through their natural inclinations (Summa Theologiae, trans., English Dominican Fathers, London; 1920, 1-2, 94, 2). It is not, like the Aristotelian end, first known through inductive perception and then pursued as the result of deliberation in particular circumstances for the sake of the life of highest virtue. Rather, for Aquinas the human end is that which human beings, in so far as their humanity is undistorted, are pursuing in their actions. Its primary determination is by human nature, and not by sense perception and reasoning. This does not mean that moral training and practical reasoning are irrelevant to good action, but that these only succeed because human beings, when their minds are cleared of the passions and any other intellectual or perceptual obstacles, do tend by their nature towards the good: their relevance is secondary to that of nature. Let us try to explain this. Aquinas holds that the rational mind works both as principle of assertion and as principle of activity. That is, in our rational operations we endeavour either to know the world, or to bring about some alteration to or within the world: to act. The speculative and the practical operations of reason are distinguished by the 'intelligibility' or prime category which falls under our apprehension in each case. In all apprehension being



is an inseparable notion and (1-2,94,2) the first notion. When it operates under this intelligibility alone reason operates speculatively. In so operating, it first affirms a principle, which it cannot explain by demonstration, to the effect that nothing can be affirmed and denied at the same time. This is the First Principle of all theoretical reasoning. Our knowledge of the world proceeds from it and from those other principles contained in various ways within it. There is, however, a form of apprehension of which the intelligibility or prime category is not being, but good. This is the apprehension of reason directed towards action: practical reason. Such apprehension in so far as it is a species of apprehension, has as its intelligibility being, but as 'the apprehension of the practical reason' it first grasps good. The practical reason grasps good first because it is reason operating so as to influence the world, and such behaviour is built out of individual acts each of which are for ends represented to the rational being as good. Good is, therefore, the prime category of the practical reason, and the first principle of practical reason is that good is that which all things seek. This principle is the ground of all principles of activity. Because it is the basic practical principle, we can express it as follows: 'Good is to be done and pursued, and evil is to be avoided'.

Aquinas says at 94,2 that as a principle of practical reason the first principle is also a precept of the law, the Natural Law. This is the Eternal Law of God ('the type of Divine Wisdom, as directing all actions and movements' 93,1), in so far as it is participated in by man. The Law of God is not to be confused with the laws of God given in, and drawn from, the Decalogue and found in legitimate religious practices (the Old Law), or with the Divine Law through which God directs man to his true, as opposed to his natural, end (91,4). The Eternal Law is the actual pattern of God's sustaining and governing power, participated in by rational human creatures through the Natural Law. The concept of the Natural Law is the uniquely rich and flexible idea with which I shall be mainly concerned in this chapter. I will be approaching it in various ways, but the first characterisation of it which must be made is as participation in the Eternal Law.

The notion of participation in Divine Wisdom is the explanation of the moral relation of man to God favoured by Aquinas. The classical expression of the concept of reason as participation in cosmic law is the Older Stoicism of Greece. We will return to this, and need only here understand that for the Stoics this participation takes the form of a natural awareness of what is right by the standards of cosmic order. This natural awareness, something like a genetic determination towards those preferences appropriate to our constitution (A. A. Long Hellenistic

Philosophy, Duckworth; 1974, p. 171ff.), is explained in the history of early Stoicism in a number of ways varying from the sheerly biological to the specifically ethical. One dimension of this awareness, however, and the most basic in early Stoic thought, is a form of basic impulsion (trans. Hormé) provided by nature to certain ends. Aquinas's version of this impulse of nature to certain ends also has a strong biological aspect. The term is 'naturales inclinationes' (1,2,94,2). We have an inclination of nature to those ends appropriate to the sort of beings we are. These are grasped by

the practical reason as good, but the initial registration of the Cosmic Intelligence in our consciousness is as felt, not rational, tendency towards certain things. When he talks of the Natural Law as a participation in Eternal law Aquinas means that rational natural beings, human beings, have an awareness of what is right the first element of which is the experience of inclination towards certain fundamental ends.

It is because the ends to which nature inclines us, those which involve participation in Eternal Law, are also grasped by reason as good that the precepts of law are understood by us as principles of practical reason. We should note that this does not mean that we must know in what our ultimate end, the end to which we are guided by Divine Law, consists and why our particular legitimate ends are good in order to do good. We already participate in our nature in the Final Good in so far as we tend towards the objects of our natural inclinations as ends. However, we shall see when we come to the concept of synderesis that as a matter of fact Aquinas does not think a human being, however uninformed or unintelligent, will ever be in the position of merely pursuing good ends without any activity of practical intelligence.

The interrelatedness of the concepts of reason, law and nature is the distinctive synthesis of Aquinas's thought, in general and in theory of rationality in particular. This interrelatedness, the equation of practical reason with Natural Law, is what I will discuss in what follows in order to explain its role as basis of my account of rationality as activity whatever theory and norms of rationality one accepts. I will consider first the relationship between human nature as Aquinas conceives it and the Final Good, and then the various problems raised by the relation of the natural inclinations to practical reason. Aquinas's theory of practical reason will then lead to the claim that he also has a more basic conception of Reason as such, and that it is on the basis of this that we can interpret Aquinas's theory in terms of a concept of activity. I will discuss this concept in the second part of this chapter and try to show that it is as fundamental to Aquinas's theory of practical rationality as his concept of the natural inclinations through which we participate in our Final End. The compatibility of these two concepts, and their interdependence corresponds to the interdependence of Aristotle's theory of dialectic and his concept of eudaimonia.

#### Human Nature and the Final Good.

Aristotle's Final Good is a good achieved within our lifetime, a good which is reached within the context of the human, political, community. It is, in fact, a lifetime dominated and structured by certain forms of activity. We have noted that his Ethics does not - except for occasional scattered hints concerning basic goods such as honour, good looks and health - provide specific guidance about what we are to do, and that this guidance, when it occurs, concerns the rationality of his own community. I have said his text must be understood as a theoretical treatise, although its goal is not knowledge but rational action: ethics is theoretical, but the purpose of ethics is not. Because it is theoretical, and because the relation of ethics to dialectic means that it involves indulgence in the pre-theoretical opinions of a particular



community, Aristotle's ethics cannot provide us with answers to our moral and practical problems. The message of the Ethics is: if you have practical problems, you can only deal with them practically, and doing ethics for yourself is one of the things you need to do in order to be able to do this.

The sense that in the Ethics one is never actually being told what the good action towards which virtue disposes us is is simply a reflection of the kind of text the Ethics is. It is not that it, vacuously, holds that rational action is virtuous action, and virtuous action rationally determined, but that it holds rational action is activity in accord with what one knows to be the virtues and one's knowledge of the virtues is what makes one a member of that community in which one's life and actions take place. Aristotle's text should only be read by one who already knows and possesses the virtues: it simply introduces theoretical study to these. If we do not already know the sort of thing we ought to do to solve our practical problems, the Ethics will not help us; the sort of moral discoveries we have to make are at a more primary level. The fact that Aristotle's text does not have as part of its function the giving of particular guidance and that his concept of eudaimonia is that of a goal attainable in this life appear to be related. His text studies the beliefs of the community; it reflects the community, and the standards which the community maintains are, at their most perfect, the Final Good. The theoretical study which is ethics describes the endoxa and shows that rational action is that directed towards the achievement of the endoxa themselves: a whole lifetime in which all action accords fully with the opinions of the many and the best, and is consciously directed to this accord because it is believed to be good.

Aquinas, however, is writing a quite different sort of text. His is the text of a preaching friar, and as such, guidance is of the greatest importance. He could not be a theorist of virtue in Aristotle's sense: his theoretical study could not merely reflect and give theoretical explanation of the virtues. His role as preacher is that of one who teaches from authority; his purpose is not to describe the common beliefs and to give correction of others by the standards of the common ones, but to prescribe beliefs. As a preacher who is also a theorist, his theoretical activities are engaged in only for the sake of preaching. As we shall see, the task of prescribing beliefs is not the simple matter of dogmatic assertion of moral principles often foisted upon

Aquinas: prescription lies within the dynamism of dialectical enquiry. However, since he teaches from authority, Aquinas's Final End must lie outside all particular human communities. His interlocutors do look to him for concrete practical guidance, but they seek this either because they cannot find satisfaction from within the day to day life and beliefs of their own community or because the common beliefs have been challenged and confused by other beliefs the truth of which is incompatible with the commonly perceived truths. That is, they seek practical guidance from him as one who not only addresses the problems scientifically, who articulates the norms, but who is able also to confront the problems authoritatively, to confirm and, if necessary, to revise the norms. We will see that the method of Aquinas's theoretical response to the practical problem is to bring to bear the endoxa of alternative

communities to the exhausted or threatened ones of his own community, and, in dialectical enquiry, to charge these with new life. He does not present the community's response, but looks further; thus his Final End does not keep within the limits of any human community. It cannot consist of any form of activity requiring the context of human community at all, for the accepted standards of any community are as vulnerable to dialectical revision as those of any other. So the Final End must transcend this context altogether. For this reason the Final End of the Natural Law is not a 'natural' end, the end of the (universal) natural species of man, but a 'divine' end, governed by the Divine Law. This is why Aquinas's Natural Law is not a law of nature but the way in which natural, rational beings participate in Eternal Law. Eudaimonia lies outside any human community. A lifetime of activity, even of the most virtuous sort, cannot be the goal which determines the rationality of actions, in so far as that lifetime is a participation in the norms of a human community. Our Final End cannot be a lifetime of activity because the human lifetime is spent in society (94,2). Eudaimonia is realised outside the locus of activity, the human community, and thus outside the forms of a human lifetime. Yet it must consist in the activation of one or more of our human potentialities: it must be an end human beings are capable of achieving and can pursue. The activation which is realisation of our highest good must consist in an operation of our highest part, the speculative intellect: the 'highest power in respect of its highest object' (3,5). Its highest object is the essence of the First Cause (3,8). Thus the Final End consists in an intellectual or contemplative enjoyment of God. This is possible in its full form, Perfect Beatitude, only at the end of a human lifetime, but is possible in an imperfect form (1-2,3,5) through particular contemplative activities, and to a lesser extent through the direction of action by the practical intellect so as to achieve those goods of the body without which a life directed to the Final End of Perfect Beatitude would not be possible. Perfect Beatitude, the goal of all human activity (1-2,1,6), is far from a simple intellectual apprehension of God of the sort which might be achieved in devotional contemplation or theological study. First, at 1-2,4,6 we are told that Perfect Beatitude will involve the flourishing of the body. This accords with both the Christian doctrine of a bodily resurrection and the Aristotelian teaching concerning the relation of practical/moral activity and theoretical activity in eudaimonia. And second, Perfect Beatitude involves transformation in the act of contemplation, and a more radical transformation than that of bodily death. In Summa Contra Gentiles (eds. English Dominican Fathers, London; 1924) eudaimonia is most clearly expressed as a sort of vision: 'the intellectual vision of the Divine Substance' (3,53); 'vision of the First Truth' (3,63). This vision is possible only when in a sense we have been granted the eyes of God: 'In order for God in His essence to be known by any created intellect as is required for the Divine Substance to be seen, the created intellect must be elevated by action from on high' (3,53). So to contemplate God is already to be occupying, to the extent to which one is fitted for it, His perspective; to have, by a gift of His, His sight. This shared vision, or understanding, explains why the Beatific Vision is best

described as a sort of union in which the Known and the knower are indistinguishable, though this is caused solely by the gift of the Known. Perfect Beatitude, then, though involving the chasm of death, does occur within the locus of the body - though not within that of the community - and is a contemplative engagement of the intellectual part, now divinised by gift of God.

These points serve to disengage Aquinas's Perfect Beatitude from the intellectualist strain of his work which encourages the criticism that he merely adopted Aristotelian scientific contemplation and replaced the first principles with the First Cause. They also suggest a degree of continuity between a good mortal life and Perfect Beatitude which makes the Thomist concept of Imperfect Beatitude quite coherent. To the extent to which Perfect Beatitude involves the body we might expect our mortal lifetimes to be guided both by the end of the body's welfare and the ends which embodied mortal beings must pursue if they are to safeguard the lives, and bodies, of themselves and their fellows; and to the extent to which Perfect Beatitude is experience of God made possible by His gift we might expect our lives to be guided by the ends of trying to obtain knowledge of Him and of worshipping Him. The ends represented by personal welfare and morally virtuous activity (works of virtue are particularly important, 1-2, 5, 7), and the ends represented by contemplation directed towards God and the worship of Him constitute an Imperfect Beatitude because they are the true human beginnings of the process which will culminate in a radical, perfect, still human, experience of God after death. Imperfect Beatitude, then, is activity in accordance with virtue (1-2, 5, 5), both practical and intellectual/contemplative (3, 5).

God does not programme us for virtuous activity but causes us to be (free) efficient agents of all our own actions. Thus we can lose (5, 40) Imperfect Beatitude, and if we lose this, particularly if we lose the Beatitude of morally virtuous action, we make more difficult the ultimate goal of Perfect Beatitude, for loss of virtue is corruption of will (5, 4) and rectitude of will is necessary for happiness (4, 4). This again suggests that Perfect Beatitude is the culmination of something begun on earth.

We must now relate this conception of eudaimonia to the theory of Natural Law, having noted that the Final End to which our rational actions are directed is not in the normal sense a natural one. Aquinas believes that we are, all of us, already in possession of the knowledge of what to do in order to approach Beatitude, and to participate in our earthly lives in the Eternal Law by means of our actions. This knowledge is explained by the theory that all have awareness of the principles of practical reasoning through the fundamental disposition of synderesis, and the theory of precepts of Natural Law of which we are aware because of the fundamental naturales inclinationes we experience. We must first discuss these and their relation to our Final End.

#### Natural Law.

At 1-2, 94, 2 he gives an ordering of the natural inclinations. Man shares with the whole of nature an inclination towards the good, or rather towards that good which is fitted to his nature; he shares with non-human animals an inclination towards such things as sexual union, and the rearing and education of the young; and he himself, the

rational animal, has certain inclinations - to know the truth, in particular concerning God, and to live in society. Corresponding to these inclinations certain precepts can be formulated concerning the preservation of human life; limitations upon sexual relations, the care and education of the young, and so on; knowledge, particularly of God, preservation of formal social structures and respect for community life. We must be clear of the nature of these inclinations.

First, fundamental though the list may seem, Aquinas's natural inclinations are not an exhaustive list of the ends of virtuous action; they do not add up to the determinate content of Imperfect Beatitude. This is clear from the Responsio of 94,3 where particular virtuous acts qua particular acts are distinguished from the concept of virtuous action: all virtuous action is prescribed by Natural Law, but nature does not incline us to all particular virtuous acts, rather these 'through the inquiry of reason, have been found by men to be conducive to well-living'; and from the Responsio of 94,4: 'although there is necessity in the general principles (of practical reason), the more we descend to matters of detail, the more frequently we encounter defects.' The precepts, then, are only the most commonly shared and general starting-points of virtue.

Why is there such a shared knowledge of the Law? Obviously, because all human beings possess a rational soul. Recently (Mark Jordan, Aquinas: Ordering Wisdom, Notre Dame; 1986) it has been argued that the 'Treatise on Law' can be read as the practical counterpart of the speculative knowledge of the soul given in psychology. 'Knowledge of the Natural Law is knowledge of the soul's own teleology' (p.135). Jordan is rightly fascinated by the incompleteness of the deduction of moral principles Aquinas offers ('It is as if the soul's teleological knowledge of itself produced insight into its fundamental lack' p.139), but I do not think he gives sufficient consideration to the extent to which the virtuous activity of the structured soul is a participation in Eternal Law which ensures the soul's enjoyment of its own Final End. The teleological ends of the soul do simply open up the questions of which particular actions are moral, questions to which the community's experience and individual reflection can alone provide answers, but the natural inclinations of the individual to these ends provide a participation of the individual in his own Final End, Beatitude, which introduces to rational action a necessity as indispensable to it as the contingency introduced by the norms of the community.

How Natural Law can contain both this necessity and the sort of contingency characteristic of Aristotelian dialectic is the overarching theme of my section here. To understand how the natural inclinations can both involve a participation in the Final End yet also do no more than open up the means of discovering a way of participation in the Final End will require a certain historical background. We must understand the notion of a Final End and First Principle which pervades nature; how it can not only pervade nature, but be participated in by (all of) nature; the nature of participation; and the nature of human - rational - participation. This will require brief consideration of, in turn, Stoic thought, the concept of the metaphysical hierarchy, the metaphysics of participation, and detailed discussion of what I



believe to be the complex understanding or 'account' of rationality behind Aquinas's apparently simple adoption of the outline of Aristotelian practical reason.

#### The Final End as Participation.

The relation between the concept of law Aquinas develops and that of nature is obviously influenced by Stoicism. The Stoic hierarchy of nature receives its unity from the material pneuma which is found in all things (see B. Inwood, Ethics and Human Action in Early Stoicism, Oxford; 1985, Part 1). This principle differentiates itself at different levels of the hierarchy. In inanimate objects it is the object's particular powers of organisation and structure; in plants it is this and in addition the power of growth; in animals, these plus the power to move through hormé (impulse). In human beings to impulse is added the power of control given by the possession of reason. Human beings possess not only the capacities of presentation (of stimulus, from the environment) and impulse to the object of presentation, but those of assent to the presentation, and reason directed to the impulse.

I do not wish to argue that Stoicism is a dominant influence in Aquinas's thought (on this, see O. J. Brown, Natural Rectitude and Divine Law in Aquinas, Toronto; 1981, p. 44), but only that the early Stoic conception of a hierarchy of nature, from stone to God, unified by the same force-in-diversity, and manifesting at its higher levels an impulse whose generation (but not whose control) is beyond the control of the individual is the model of a teleology of ends which are both of the creature and of his Superior which we find in Aquinas. The understanding of the teleology of ends of the soul within Aquinas's Christian framework depends on the location of these ends both intimately within, and imperatively above, the individual, a bi-location best suggested by the Stoic theory of the soul.

Of course, as a Christian writer Aquinas has available a vast resource of Christian thinking and legal thinking which already concerns the relation of the concepts of nature and law and which is Stoic (Cicero De Legibus; Gaius, Digest; Isidore of Seville, Isidori Hispalensis Episcopi Etymologiorum sive originum libri xx, 5, 4, quoted G. Verbeke The Presence of Stoicism in Medieval Thought, Washington; 1983, p. 56). The relation of these concepts within the context of a teleology of ends directed to a Final End is Aquinas's own attempt to introduce the Natural Law not as a challenge to eudaimonia, but as the means of christianising eudaimonia by defining the virtuous subject as participant already through his nature in Beatitude. One reason this attempt succeeds is that early Stoicism possesses a conception of law within which the directed impulse of the individual is not other than the impulse which runs through the whole of Nature from its Origin to the lowliest creature. 'But none of them ((Greek appeals to divine, unwritten law)) rests on a philosophical conception of a physis that grounds nomos; this appears in stoicism with its doctrine of physis as an immanent logos... and its definition of virtue as 'living according to nature'... It is this 'nature', the divine ratio... that is immanent, eternal and immutable... that founds human laws. Its operation is most eminently visible in man's first 'instinctive' (physikos) impulse toward self-preservation that

gradually extends to embrace all of mankind' (F.E. Peters, Greek Philosophical Terms: A Historical Lexicon, New York; 1967, p. 131-2).

#### Participation.

As well as this Stoic background to natural inclinations, we must take account of the neo-Platonic background to the hierarchy of inclinations to understand how it is possible for nature, at every level, to participate in its own Final End, and in particular how it is possible for the virtuous human being to participate in his Final End here and now in his earthly and mundane actions. The great neo-Platonic source of the concept of hierarchy is the Pseudo-Dionysius (Celestial Hierarchy, only in De Caelesti Hierarchia, ed. P. Hendrix, Leiden; 1959; and Ecclesiastical Hierarchy, in The Ecclesiastical Hierarchy, ed. T. L. Campbell, Washington; 1955). 'Ps.-Dionysius is the virtual author of the term with the lexical meaning which it has possessed ever since' (R. F. Hathaway, Hierarchy and The Definition of order in The letters of Pseudo-Dionysius, The Hague; 1969, p. 21). For Aquinas, man experiences natural inclinations given his membership of the natural order explained in terms of hierarchies of being. The great Hierarchy is, of course, of the greatest theoretical importance to Aristotle (De Anima 2, 2-3) and to the Stoics (see Inwood's discussion at p. 18-27). However, Pseudo-Dionysius was the first to make explanatory use of the term itself as well as describing creation and the Creator in hierarchical fashion (see Hathaway pp. 39-60).

For him the hierarchy is apparent not only in the structure of the universe, but in the enquiring mind which attempts to gain knowledge. Thus we see hierarchical thinking revealed in the affirmative and negative 'ways' in which we approach God either by applying to him the perfections we apply to creatures, beginning with the highest (see Divine Names in C. E. Rolt, Dionysius the Areopagite on the Divine Names and Mystical Theology, Macmillan; 1920), or by excluding from Him all imperfections, beginning with the lowest (Mystical Theology). In this context, the stylistic and methodological examination of Dionysius's Letters Hathaway provides is important. As the text of the Letters of Dionysius dramatises the descent of God and the ascent of the philosopher (p. 82), so this hierarchical form of thinking must characterise the activity of the enquiring mind.

For Aquinas there is a similar correspondence between the experience of the enquiring mind, of rational nature, and the hierarchical order of nature. The order of our individual discovery of the natural inclinations to particular ends is that of the created hierarchy of nature. The ontological order is recapitulated at the species level through the experience of the individual rational enquirer. The importance of the concept of hierarchy here is that it explains the concept of participation by nature in its own all-pervasive source and end. In particular, it explains how Aquinas was able to connect the whole content of Natural Law, all the natural inclinations, to the summit of the scale of Being, eudaimonia, so that rational pursuit of the ends of daily life by human beings could become, here and now, participation in their Final End.

The background to the understanding of just what participation is includes the, again neo-Platonist, theory of illumination. The divine

light is a favourite theme of Pseudo-Dionysius (for example, Celestial Hierarchy 3,1: 'Hierarchy is a sacred order and knowledge and activity fashioned on the model, as far as attainable, of the godlike, and conducted proportionately by way of divinely given illuminations to the imitation of the divine.') The metaphysics of light is also treated by Proclus (see the diagrammatic description by A. Sheppard - Studies on the 5th and 6th Essays of Proclus' Commentary on Plato's Republic, Gottingen; 1980 - of the world organised according to horizontal and vertical 'lines'); and light is the mode of Being of the One of Plotinus (see the discussion of Ennead 5 in J. Bussanach, The One and Its Relation to Intellect in Plotinus, Leiden; 1988, ch. 5). The participation of beings at every level of the hierarchy in the divine Light is not an argument of Aquinas's (though see here S.C.G. 3, 53) in the context of natural law, but the notion of the hierarchy of being as participation to different degrees in the Light which is God is an Augustinian theme (see especially De Trinitate 12, 15, 24 quoted in Copleston History vol. 2, London; 1959, p. 62) which would presumably have been part of the standard thinking of Aquinas, and which is made use of by him in other places (for example, the discussion of the active intellect in S.T. 1, 85, 1, 4). The diffusion of God through creation (often dramatised for particular purposes in His appearances as Fire, Cloud, Dove) is a standard notion in Scriptural writing, and something which must be tackled by any philosophy which sees part of God's role as sustaining creation. Christian thought on this topic, and in particular the neo-Platonic thinking on the metaphysics of light, gives a further part of the background to Aquinas's effort to show the entire hierarchy of natural inclinations, and the whole of a human life, and not only the highest inclination, as related to the Final End, the End which structures and supports it, as a participation in It.

#### Human Participation.

We must now explain just how Aquinas believes the Natural Law understood hierarchically as participation in our Final End operates at the human level, at the level of rationality. By explaining Aquinas's understanding of rationality, we will explain his view of the relation of nature to Law within the human being. We will find this requires moving some way from the familiar Aristotelian model of theoretical/practical reason. It will, however, show how the theory of rationality I suggest we find in Aristotle when we relate his ethics to his dialectic can be expressed in terms of the structure of Aquinas's own work and his central concepts of reason, law and nature. Just as the dialectical account in Aristotle is compatible with his 'official', N.E., theory of rationality, and explains how it comes about, so the 'deeper' account in Aquinas is compatible with his own theory of practical reasoning, and also explains the continuity and dynamism of the process by which human beings come to construct theories of rationality. For Aquinas, the legitimate promptings of nature which the Stoics identified with the divine Law become participation in the Eternal Law of the divine Being not simply in virtue of the 'divine' reason which nature-as-it-is-experienced through human beings possesses, but by their rational adoption and the free assent to them in forms of activity structured by community norms. These

norms, the instantiation of the particular community's theory of rationality, are accounted for, ultimately, by the natural inclinations: they are the ways in which we will follow the natural inclinations; and, eventually, they will be overthrown as they become too restrictive for our pursuit of the natural inclinations. The first part of my discussion of how the Final End becomes operative in human nature, of the structure of practical reason, is exposition of Aquinas's own theory. I will move in the second part of this chapter to discuss the 'deeper' account of rationality in Aquinas.

A/

How can every natural inclination be a participation in the Final Good? This is so because for Aquinas natural inclinations are not only experienced as felt inclinations, but are grasped by reason as the way of pursuing goodness itself. They are immediately made the objects of practical reason through its First Principle which it formulates as 'good is to be done and pursued, and evil avoided'. This principle, we must note, is not of the same status as the principles in which the actual objects of particular natural inclinations are formulated as ends which are to be pursued. The First Principle of practical reason, like the First Principle of theoretical reason, the Law of non-Contradiction, is contained within, rather than one of, the primary principles of practical reason, those in which the ends of our natural inclinations are formulated as goods to be pursued. The First Principle does not tell us to pursue any specific good, but tells us to adopt the attitude of pursuit, the practical, or intentional attitude, itself. (see the reading of G. Grisez, 'The First Principle of Practical Reason' in A. Kenny ed. Aquinas, London; 1969). Whenever we act, we are 'acting upon' the First Principle, that is, it is the principle of our behaviour; whenever the object of our action is one of those ends to which our natural inclinations prompt us and which our reason grasps as good, we act not only upon the First Principle, but act rationally. The principle of all action, then, rational or not, is formulated as 'good is to be done and pursued, and evil avoided'; the principle of a rational action is a principle of reason in which the end of a natural inclination is apprehended as a good to be pursued.

We follow the precepts of Natural Law in our action by acting upon such principles of practical reason. So the relation of the natural inclinations to the Final Good is explained by Aquinas's conception of practical reason. At the top of the hierarchy of inclinations are those man has qua rational being. His rational faculty, his highest faculty, is the means of his reaching God intellectually, and the faculty through which what Happiness he can have on earth will be achieved, and perfect Happiness finally mediated. Through it he can apprehend the objects of the inclinations he experiences qua rational, and those he experiences qua animal and qua creature, as goods. Consequently, it is through the operation of reason that man is put in touch with his Final End: reason grasps objects of inclination as ends which are to be pursued, which is to say as steps on the way to Beatitude, to the Good. The precepts of the Natural Law, which our natural inclinations make apparent to us, become the way of participating in Eternal Law by means of the



adoption of their objects as goods by the practical reason and the subsequent assent to the principles which reason formulates in action.

This explains how Aquinas relates natural inclinations to the Final Good. We must now move to consider the way in which the practical reason operates through the natural inclinations as the agent pursues his good. As we have explained that in pursuing any good of his - acting upon any of the basic principles of practical reason or any derived from them - the agent is pursuing his Final Good (see 1-2, 1, 6), it will not be necessary to remind ourselves that at every stage of practical reasoning the agent in pursuit of a particular good is thereby in pursuit of eudaimonia.

B/

The first thing to be said about the operation of practical reason is that it apprehends a number of basic or primary principles which possess self-evidence and from which more specific principles or conclusions of practical reason are drawn. The First Principle of practical reasoning, or Principle of Intentionality, is founded on the notion of good, that which all things seek (94, 2). As practical reason is reason directed to behaviour which alters, to action, and good means 'end of action', the First Principle of practical reason must be 'good is to be done and pursued, and evil avoided'. Furthermore, 'All other precepts of the natural law are based upon this: so that whatever the practical reason naturally apprehends as man's good (or evil) belongs to the precepts of the natural law as something to be done or avoided' (94, 2). So all primary principles of natural law are based on the First Principle. The things to be done are discovered in basic principles of reason; in operating practically, that is, according to the Principle that 'good is to be done and pursued, and evil avoided', reason apprehends the objects of natural inclinations as goods and formulates each of these as a basic principle of reason which can function as starting-point of action. It is when the agent acts in pursuit of an end he describes as good but which does not reveal itself as part of the structure of our human good revealed in the primary principles of practical reason that his action is evil. The agent here is still rational in the weak sense that his behaviour is governed by the First Principle: he is capable of action. Full rationality, however, consists not only in performing actions well calculated to one's ends, but in pursuing an end which reason itself understands as a good. Such pursuit alone is striving after the human Good, performing a good action.

C/

Before explaining just how practical reason operates through the natural inclinations to cause human beings to efficiently pursue the Final Good, we should briefly consider the status of principles of practical reason. We are told at 94, 2 that the First Principle is self-evident. Self-evidence for Aquinas means 'self-evident to us' or 'self-evident in itself'. A proposition self-evident to us is one such that if we know the subject of the proposition, we know the truth of the proposition ('analytic'); a proposition self-evident in itself is one such that if we know the subject, we need not know the truth of the proposition though to the wise its truth is

obvious. Aquinas's example of the former is 'two things equal to the same thing are equal to one another'; and of the latter, 'man is a rational animal'. Now the First Principle is self-evident in itself: one who can use "good" need not know the truth of the proposition 'good is to be done and pursued, and evil avoided', though its truth is obvious to the wise man who has studied. The other, primary, principles of practical reason are also self-evident. Their case, however, seems more complicated. It may seem that the principles formulating objects of inclinations as goods, and so as ends to be pursued - 'life is to be preserved where possible', 'children are to be reared to the age of reason', 'truth is at all times to be sought' - are propositions such that one who knows their subject knows their truth. However, it also seems that one might know and understand 'the preservation of life', 'the rearing of children', 'truth' without thereby knowing these are to be pursued. It would not be sensible to fail to pursue these things, but one who lacked wisdom might know in what these things consist and yet deny they are to be pursued due not to intellectual failure, but to a defect in education, the destructive influence of the passions. One who yet lacked the virtues might know what these goals are, yet be unable to grasp them by reason as human goods. So the self-evidence of the primary principles in which the constituents of the human good are formulated is also self-evidence in itself.

The aspect of virtue in Aquinas's theory of practical reason to a great extent reintroduces Aristotelian material either already introduced, or irrelevant to my continuing argument. The main point for my purpose is that the role of training in moral virtue, and of education, is as vital to the smooth running of the intellectual virtues for Aquinas as it is for Aristotle. I will briefly outline his concept of virtue in order to make this clear.

D/

Virtues are habits disposing us towards good acts (1-2, 55, 1); virtue is 'a disposition in relation to a thing's nature, and to its operation or end, by reason of which disposition a thing is well or ill disposed thereto' (49, 3). We know from 18, 4 that a good act must be good in four ways, and thus in our moral evaluations and assessments of responsibility we must pay attention to more than the end of the action. However, it is with respect to its end that the agent forms the intention of performing a particular action, therefore the disposition to an end which is grasped by reason as good, an end whose pursuit is pursuit of the human good, is the firmest indication of a virtuous action. Virtue is a disposition to act rationally, 'a permanent disposition to act in conformity with reason' (E. Gilson, Christian Philosophy of Thomas Aquinas, London; 1957, p. 201).

Such a disposition is not within us by nature (63, 1), but according to 'aptitude' and 'inchoatively'. That is, both in respect of our rational nature, and of our individual bodily natures we have a natural aptitude for virtue, but the perfection of virtue is something which is acquired through the performance of rational acts because it is the rule of reason alone which establishes the good towards which virtue disposes us (63, 2). Aquinas is clear about the acquisition: 'a man needs to receive this training from

another, whereby to arrive at the perfection of virtue' (95,1). He says all are inclined to undue pleasure; those who by good natural disposition, custom or God are inclined towards virtuous action, require only 'paternal training' for the acquisition of virtue, 'which is by admonitions'; those prone to vice must be forcefully restrained however. The major responsibility for habituating in virtue, then, lies with the father and the law. For Aquinas, not all of the intellectual virtues require the moral virtues in order to function; in fact, only prudence does. Prudence concerns particular situations of judgement and therefore requires the moral virtues to ensure the agent does not favour self over others, present over future. Prudence determines how we are to do what we ought to do; it is an intellectual virtue concerning not just knowing, but living well. It is, therefore, a necessary part of efficient practical reasoning which requires the moral virtues. The practical reasoning of a human being, however, also requires certain other moral virtues. The 'cardinal' moral virtues perfect the will: justice produces fairness concerning what is due; temperance prevents passions pulling us to irrationality; fortitude prevents passions which hinder us from acting rationally. Training in moral virtue is therefore required if one is to be practically rational just as it is by the ethics of Aristotle.

E/

We now need to ask what is the relation of basic principles of practical reason to the First Principle, and how this explains the connection of the objects of the natural inclinations to the Final Good. We have already mentioned that Imperfect Beatitude must include morally virtuous action as well as intellectual activity, and that even Perfect Beatitude will involve practical activity to the extent that the Beatific Vision will be possessed by embodied souls. It is also clear that God will be more concerned with our performing good acts than with our knowing truths, for when we behave so as to achieve the ends of the natural inclinations and those ends proceeding from these we behave so as to rationally alter ourselves, while when we behave so as to gain knowledge we attempt to conform our rationality to the world. The First Principle, which is the principle of action, then has a clear relation to our Final Good in so far as the actions we perform are good ones, that is, in so far as the good we pursue is the human good discoverable in the structure of our natural inclinations. The objects of these inclinations reveal the structure of the Final End. How they do this is understood when we consider them as goods formulated in basic principles of practical reason. The First Principle not only gives practical intentionality to the mind, but is the substantial source of the other principles of practical reason which are derived, though not deduced, from it. That is not, however, to say that it is the first of a chain of practical principles. It is source of others in that given its nature as principle of action, it is the first and necessary condition of rational action: it is principle of action; therefore it is principle of rational action. Thus Maritain (Man and the State, London; 1954, p. 81) calls it 'preamble and principle of natural law.' As a necessary condition of rational action, however, there is no intrinsic reason why substantive principles of rational action should be derived from it rather than from some other, independent source of rationality. However, we must remember that the First Principle does not simply tell us to do good, but also to avoid evil. It functions, therefore, as a principle of choice: not only is it necessary condition of (any, including evil) action, but it also makes the requirement that agency involves discrimination of ends, and the representation of some to oneself as good and others as evil. Agency involves not only pursuing the good as we perceive it, which may not be the true human good, but also avoiding the evil as we perceive it, which may not be the true, forbidden evil. Since the principle of action does not merely activate the mind to pursuit of goods, but steels it to avoidance of evils, it cannot function as a purely formal principle of action: it requires that whenever we act and so describe certain ends as 'good', we also describe certain, other ends as 'evil' and so as impossible grounds of action for us. As the performance of any action involves ruling out the possibility of our performing certain other actions, particular operations of the First Principle are never purely formal but always also selective, providing reasons for doing what we do. We can, therefore, say that the First Principle, the principle of action, since it involves choice (choice is of the intellect as



well as of the will, 1-2, 13, 1) and limitation of the range of possible actions, is the source of the rationality of behaviour and that substantive principles of rational action are, therefore, derived from it and not from some other independent source of rationality.

As the relation of basic principles of practical reason to the First Principle is so intimate, and the form of their derivation from it much more immediate than logical deduction (it is their 'preamble and principle'), the connection between it and our Final End (Beatitude requires moral/practical activity, and the First Principle is the principle of such activity) implies a connection between basic principles and the Final End. The Final End has no constituents that are evil, none contrary to the human good, and therefore only those actions which are part of the human good, those directed to ends which are truly constituents of the Final End, constitute pursuit of eudaimonia. The ends of these actions are formulated in principles which are derived from the First Principle, and derived from it as a first principle of a being who occupies the place in the hierarchy of nature of a created thing, an animal, and one who has the property of reason. That is, they are described as 'good' in principles of action derived from the First Principle as means of following the natural inclinations of the agent. However, these principles also just are the basic principles of practical reason, the first formulations of the human good when the mind is being directed by the practical reason. Therefore, those actions - behaviour consequent upon the First Principle - that are part of the Final End are those actions performed upon principles corresponding to the natural inclinations, and the latter principles, being also the basic principles of practical reason, very obviously share the connection of the First Principle to the Final End. They do so because they are not only derived from it as principle of action, but because they are the first principles the practical reason forms once it apprehends the objects of the natural inclinations. By grasping these as goods practical reason reveals them to form the basic structure of the Final End realisable through action.

F/

Having explained the relation of the First Principle to the other primary principles of practical reason, and the relation of the primary principles to our Final End, we can complete the outline of Aquinas's theory of practical rationality with the concepts of synderesis and the secondary principles of practical reason. Synderesis is described at 94, 1 as 'a habit containing the precepts of the natural law, which are the first principles of human action.' It is a disposition of the mind consisting in a tendency to know the basic principles of the natural law. It corresponds to the disposition of the mind known as intellectus, or understanding, by which the mind has a tendency towards knowing the first principles of theoretical reasoning. Synderesis is a natural disposition. He writes at Quaestiones Disputatae de Veritate (ed. R. W. Mulligan, Chicago; 1952, 16, 30) that no one can lose it. It is, furthermore, infallible (16, 2). Synderesis, therefore, provides for every human being a knowledge of the basic principles of the

Natural Law, and, with regard to this knowledge, cannot provide incorrect information.

The development of Aquinas's concept of synderesis from Stoic antecedents and medieval authorities has been well documented (see G. Verbeke, The Presence of Stoicism in Medieval Thought; T. Potts, Conscience in Medieval Philosophy, Cambridge; 1980). The point I wish to emphasise about synderesis is the way in which it explains for us the relation between what we would call Aquinas's conception of value and the theory of reasoning. This can be usefully clarified by a criticism of O'Conner's (Aquinas and Natural Law, London; 1967, p. 72). He asks, if 'good' means 'end of inclination' and reason grasps objects of natural inclinations as goods, 'why are those things which are good in the sense of being sought after necessarily also good in the sense of being the right kinds of things for us to choose?' Why is the good, the necessary object of value, also the right, the necessary object of (correct) practical choice? This is explained by synderesis. It is a natural disposition to understand principles of action, of the Natural Law; an inextinguishable and infallible power of the soul by which certain basic principles of action are known to all. As such, synderesis is also a 'potentiality of reason' (see de Veritate 16, 1). That is, we may view it as disposition towards the basic principles of practical matters, or as a potentiality of practical reason ('it exists in no other potentiality but reason'). We should understand it, then, as a natural disposition of the practical mind (the mind governed by the principle of action, the First Principle) possession of which entails that reason informs us that the ends of certain inclinations are right objects of action, that these ought to be pursued. The things which are good, which have value because we seek them necessarily, are also the things it is right (always) to pursue because questions of rightness, of good reasoning in particular circumstances, are for Aquinas questions concerning the operation of practical reason, and the potentiality of the practical reason is the natural disposition towards apprehending necessary ends as basic principles of action. O'Conner is wrong in the way he distinguishes the right from the good, because any rational action is so because it stands in some relation to the ends of those natural inclinations which synderesis disposes us to apprehend by reason as human goods: a right action is always derivable from a basic principle of practical reason which formulates an unquestionable human good on every occasion. Synderesis explains how we can close any gap between efficient reasoning and the true human good, prudence and the Natural Law, the demands of practical reason and of our human nature, within Aquinas's theory.

G/

Synderesis disposes us towards apprehending precepts of Natural Law as basic principles of practical reason, and does so as a potentiality of the practical reason. As well as these basic principles, however, Aquinas has a doctrine of secondary principles which proceed from them. Before considering the nature of these, I will describe the process in which they are determined and in which we reach conclusions concerning particular actions, whether

from primary or secondary principles. This will involve the concept of conscience.

The practical syllogism does not have the role for Aquinas that it has for Aristotle of transferring the agent from decision to action, but is the mechanism by means of which the agent makes choices. The first principles towards knowledge of which synderesis disposes us can be formulated as major premises, and relevant factual information as minor premises. Conclusions about which particular action to do are derived by a set of capacities to which the term 'conscience' seems to be applied. Conscience is that faculty by which we judge on the basis of practical principles and particular facts what we ought here and now to do (see de Veritate 17, 1 and 2; and cf. Albertus Magnus, Summa de Creaturis, Opera Omnia, ed. A. Borgnet, Paris; 1890-9, 2, 72, 1). We could describe the work of conscience in the following way: synderesis disposes us to know that p-type acts are wrong; perception and the intellect show that x is an act of type p; conscience applies the fact that x is p-type (from minor premise) and wrong (from major premise) to x so that it is judged that x ought not to be done. The full description would then continue by explaining that what transfers us from this judgement to action or restraint is an act of will which is a voluntary act involving choice. Willing includes wishing, the initial act of will which is involved in the making of a particular practical judgement, and executing the command of the wish by moving the body, which is the result of the practical judgement. We need not here go further into the structure of action. The main point is that Aquinas has a sophisticated, Augustinian alternative to describe the role Aristotle assigns to the making of practical syllogisms.

The other role of conscience seems to be in the derivation of secondary from primary principles of practical reason (the best discussion of this is R. A. Armstrong, Primary and Secondary Precepts in Thomistic Natural Law Teaching, The Hague; 1966). As conscience deduces from the facts concerning an action and its wrongness that it ought not to be done, so from a fundamental principle concerning action, and particular facts it can also derive a secondary principle concerning particular actions and describing what specifically is to be done. The secondary principle contains nothing not contained in the primary one, but simply makes this more specific, relating it to a narrower field of action. The wise will see (1-2, 100, 1) principles contained within the Natural Law which the simple, although they know all the basic principles, will not yet recognise. Armstrong puts this well: 'Primary principles are concerned with details from the abstractions of real life... the secondary principles are more deeply involved with the varying circumstances and the details which surround any and every moral action' (p. 93). The question of how the secondary principles are derived from the primary is a point of the greatest controversy. In the fourth Article of 94 he insists that practical truth and rectitude is not the same for all. At a glance, this seems to undermine the Natural Law doctrine. However, we have seen reasons in discussing Aristotle for holding that his views of the imprecision, practicality and particularity of ethics do not undermine the conception of ethics as theory of the virtues, and, though I will not give explanation of this till

later, we should accept that Aquinas's Natural Law too will be compatible with a non-absolutist interpretation. We are forced to consider such an interpretation as we begin to move further into the matter of the secondary principles.

The problem with the secondary principles and their status as Natural Law is the lack of a clear theoretical explanation of how specific practical principles are derived, and how specific they can become. The more specific our conscientious examination of the facts and narrowing of the basic principle becomes, the stranger it sounds to call the derived principle part of the Natural Law at all. Secondary principles are variously described as 'conclusions' (94,4), 'detailed proximate conclusions' which may suffer addition or subtraction (94,5), conclusions following closely from general principles (94,6), derived conclusions or 'particularised general forms' (95,2). And at 100,1 he writes about first principles, 'from which principles one may proceed in various ways to judge of various matters', and considers the derivation of what exactly to do as differing in degree of complexity according to the amount of consideration needed to apply a first principle to one's situation. Those cases in which derivation is virtually immediate, in which the agent is actually not aware of the basic principle but only of the specific one or perhaps only of the decision and the desire to act, are not controversial. Here the specific principle is a conclusion of the basic one: it is seen without any intervening thought to be what the basic principle implies in the circumstances, and is therefore rightly described as part of the Natural Law because the secondary principle is no more than the application of the primary one in a specific case. However, when we must actually ponder in our circumstances both those circumstances and the relevant primary principle without being immediately aware of how the one applies to the other, and when we must attempt to derive here a more specific 'bridging' principle, the question of what the nature of this derivation is and whether its result is part of the Natural Law is disturbing.

I would suggest an answer to this as follows. One who knows the basic principles grasps objects of natural inclinations by his practical reason, he understands them as goods. In any particular situation we are concerned to discover our good, which, so far as we are rational, consists in the end we should act upon as a means of conforming with precepts of Natural Law. The basic principles we have because we tend towards such knowledge through the natural disposition of synderesis: due to synderesis, in any situation calling for action we have the basic principles before our minds. The rational agent will consider these and his circumstances, and where perplexity about what the thing which ought to be done is - not perplexity about whether he must, for example, in the case of an opposing passion, do as he ought - arises, he will either receive upon proper consideration of the matter a determination of conscience in the shape of an immediate conclusion or secondary principle that such and such ought to be done; or, failing this, he will be obliged to initiate as an exercise of conscience a process of derivation of his secondary principle. This process of derivation will go beyond the knowledge to which synderesis disposes us.



It cannot, however, include consideration of the secondary principles because it is these we are attempting to establish, and it cannot merely consist in consideration of the primary principles and the facts of one's circumstances because this has been tried. The process of derivation, therefore, must consist in consideration of extra principles of action, the 'matters of detail' which we are told (94,4) do not possess the necessity of the primary principles. He writes at 95,2 that just as in art 'general forms are particularised as to details', so conclusions may be derived from the Natural Law not immediately but solely in accord with more general conventions of the human law. Part of the human law, the Law of Nations, does consist of immediate derivations from the Natural Law, but an equally important part, Civil Law, is derived from the Natural law 'by way of particular determination... according as each state decides on what is best for itself' (95,4). This decision will be made with respect to the common weal and the condition of those who will be governed by the law (see the important discussion at 96,2).

It can be suggested, then, that where it is not apparent what the rational agent is to do he will consider the primary principles of practical reason, the facts of her situation and, as additional 'minor' premises the opinions of human law and custom according to the conventions of the state as they apply to one in his circumstances. When this is done he will be able to derive, though without the certainty of logical demonstration or water-tight deduction, and without the certainty which synderesis ensures we have concerning the primary principles, a specific principle of action in which the practical reason grasps what he is to do in his situation. In this rational apprehension, due to the process of derivation he has followed, he not only grasps his good in these circumstances, but understands the reason why it is his good: he can explain this in terms of primary principles, specific principles of human law and custom, and the facts of his situation. Thus in an important sense he is no worse off than one who succeeds in knowing his good either through the knowledge towards which synderesis disposes us, or through immediate conclusions from this knowledge.

This explanation, if correct, indicates that to continue asking whether and to what extent specific rational principles are a part of the Natural Law is to deal in quibbles. The point about Natural Law is that it cannot stand as an autonomous body of moral knowledge with which rational animals are fully acquainted. It is first of all a participation in Eternal Law and so looks beyond itself to the will of God when it seeks the intelligibility of its own principles. It is secondly the law not only of rational beings, but of rational and natural beings; beings which live in communities, rear families and rely on others of the same species. Thus it must be understood within a social context, which means that it must look ahead of itself to the laws and customs of a human political community to ensure its own expression through the smallest details of the activities of agents which are progressively governed less and less by legalistic rules and more and more by idiosyncratic conventions. The Natural Law, thirdly, requires the Divine Law in order that man may be directed beyond his merely natural end, and in order (91,4) that

any uncertainties over the particularity of non-immediate conclusions of Natural Law, or any contradictions within them can be answered. The content of the Natural Law is not, then, a fully determinate matter; nor can it be fully defined by the content of the other forms of law. Its most fundamental and general principles are secure and are unambiguously known as the principles of rationality due to synderesis and practical reason. However, as soon as we move from these the content of Natural Law both expands and becomes less certain in its concern for the way in which the Eternal Law applies to the detail of what a particular agent ought to do in a particular social context here and now to pursue the specifically human good. The Natural Law is not the whole moral law, but only the richest concentration of it in which it is clearest how the different levels of law apply to human action. This completes my exposition of the basis of Aquinas's theory of practical reason. I will go on to discuss this with the intention of exposing what I have called his 'deeper account' of rationality.

### Part Two.

In my discussion of Aristotle I argued that his theory of practical rationality, the theory of the virtues, was in no way absolutist because of his conception of the nature and role of ethics, the role of moral training and education in rationality, and the relation between ethics and dialectic. I wish to claim also that Aquinas's theory of practical rationality, the doctrine of Natural Law, is not absolutist. There are three reasons for this claim. The third of these will provide the explanation of just how within human nature - rationality - our Final End is participated in. The first reason has already been mentioned. It is that the Natural Law is not an autonomous body of moral legislation. The Natural Law is completed by the varieties of human law and convention and the Divine Law. It is, therefore, not autonomous in the sense that it does not legislate in independence of these legislations: it is literally completed by these, and not merely supplemented by them. The Natural Law furthermore, is human participation in Eternal Law; this is what it is. Its essence is participation of the fullest kind possible for human beings in a more perfect legislation. It is not an autonomous body of moral legislation, then, in the sense that it is not possible to give an accurate deacription of it except in terms of another, higher, legislation.

Since the Natural Law, the theory of practical rationality, is in these ways not autonomous, it cannot be that the principles of rational action are derived from a standard which is fixed and guaranteed independent of context. Natural Law is a participation in the Eternal Law, which is absolute, but it is the participation of a certain sort of being, and the basic principles of that participation merely direct the agent towards very general necessary ends of action pursuit of which depends on acknowledging principles of human law, and obedience to Divine Law. The precepts of Natural Law are not absolutist because they are a participation in, and not a reproduction of, the principles of Eternal Law: they participate in Eternal Law according to the nature of the

participant, the human being; and this human participation requires completion by principles of human convention which are not absolutist.

The second reason for claiming that the precepts of the Natural Law are not absolutist concerns the concept of practical reason. The concept of practical reason which Aquinas introduces to explain the normative hold on us of the precepts of Natural Law depends logically on what I have called the First Principle of practical reason, which is the principle of action, as well as the grounding intelligibility of the basic principles of rational action. The precepts of Natural Law we understand pre-rationally as inclination until the objects of the inclinations are grasped by reason as goods, ends which are to be pursued. This rational apprehension, which is a recognition of principles of rational action, occurs because the mind has a tendency towards activity, towards the good, and in virtue of this tendency is drawn towards achievement of objects of the natural inclinations as a means of pursuing the Final Good. It is the achievement of these objects (the 'Imperfect' End of practical rationality) that forms the basis of one's rational principles of action: a set of principles of action formulating the ends of natural inclinations as basic goods. The concept of practical reason which explains this rational grasp of precepts of Natural Law, our understanding of the good, then, depends on the First Principle which is not one of the principles of practical rationality, but the principle of action from the practical directedness or intentionality of which the principles of practical reason derive their normative pull.

This priority of the First Principle within practical reason means that the Natural Law, in so far as it provides us with principles of rational action, depends upon a prior teleology of action, the sort of bare practical directedness which the First Principle initiates. This entails that it depends also upon a concept of reason as such - and not just human reason. Its dependence upon the First Principle entails the notion of 'reason as such' because, for Aquinas, the First Principle is one of the two fundamental Principles of reason - along with the Law of Non-Contradiction - which hold for all rational beings, and therefore would hold for non-human rational beings who are not ruled by the Natural Law and so are not subject to the set of basic principles of practical reason. The existence of the two First Principles with their intelligibilities implies the existence of a concept of reason as such independent of the concept of human practical reason (the Natural Law). This distinction is one which cannot be seen in the case of theoretical reason because here it is disguised since the basic principles of theoretical reason depend not at all upon the nature of the reasoner but only upon derivation from the Law of Non-Contradiction.

This logical dependence of the Natural Law upon a basic teleology of action and a concept of reason as such means that the precepts of Natural Law, even the general principles which are the same for all human beings, are not absolutist. The First Principle is not only principle of rational action, but principle of all action, of any behaviour manifesting the minimal rationality of practical directedness. Logical dependence on it of the principles of rational action, therefore, indicates the position of rational

action within the wider class of action in general - any behaviour in pursuit of the perceived good. Rational action is action performed for reasons which contain no element of deception or error; action the end of which is truly our end, and not the 'imposed' end of passion or the external environment. The principles of rational action are the same for all human beings because of human nature, but if we consider the class of actions, a class which will include, definitely for Aquinas, some actions which are not rational, we will see that the criterion of action itself, does not include reference to any particular sort of object or end. The criterion is simply that the First Principle of pursuit of good and avoidance of evil is in operation, whatever the agent perceives to be good. Since the principles of rational action are logically dependent on a First Principle which is principle of all action and which, therefore, specifies no particular ends, then despite the universal applicability of the ends of natural inclinations to rational human beings, their necessity is only a feature of human rational nature and not of rationality, of rational principle, itself. The rationality of these principles rests not upon the relation of the actions they prescribe to reason, but upon the relation of the actions to us, our nature; the actions prescribed are not rational because of what they are but because of what we are. Thus even the basic principles of practical reason are not absolutist for they do not consist in a standard of rationality which is independent of the viewpoint of human agents. The dependence of the First Principle upon the concept of reason as such also indicates a further way of showing that the basic principles are not absolutist. If they depend upon a principle of action which is one of the two most fundamental principles of reason considered in abstraction from sorts of rational beings - reason as such - then alteration of them, though impossible, is conceivable so long as there occurs no alteration in the concept of reason as such. Variation or denial of the basic principles might occur if different derivations from the First Principle were made. Such derivations would be possible only in the case of rational beings which did not share our human nature. For such beings the basic principles of practical reason might not apply though the concept and principle of action would, and their 'reason as such' would be the same as ours. These points about the relation between the principles of practical reason and the First Principle, and between the principles of practical reason and the concept of reason are of course connected: a rational being of a different nature might have different rational principles, though he would have the same principle of action and the same reason, consisting of the principle of action - the First Principle - and the Law of non-Contradiction. Aquinas's precepts of Natural Law, then, are not absolutist, but are the only logical principles of rationality for a human being, given his nature and his capacities for action and reason.

The third reason for claiming the Natural Law doctrine is not absolutist is the most important, and will occupy the remainder of this chapter. It will require consideration of Aquinas's text and the nature of theory and of the relation of these to rationality. It will also reveal what I think is the relation of



the Final End to human nature, depending for this upon the notion of a 'deep account' of 'reason as such' in Aquinas. Science, theoretical enquiry, is a particular exercise of rationality. It must correspond to principles of theoretical reasoning, but as itself a form of activity it must also aim at an end which must conform to the legitimate ends of the basic principles of practical reason, the human good. This much, I think, is uncontroversial. However, I want also to claim that theoretical activity is not only a sort of rational activity, but the form of rationality itself for Aquinas, and that scientific enquiry, such as is exemplified by his text, is the most perfect species of theoretical activity, or rationality. The outline of the argument is that we must interpret the principle of action, 'good is to be done and pursued, and evil avoided', as not only principle of action, but, in the absence of specification of particular ends of action, as principle of activity; this is so in virtue of the concept of activity and of reason as such which, I claim, are more basic to Aquinas than the categories of the practical and the theoretical. Activity, in virtue of its principle, the First Principle, is to be understood as always in a sense theoretical. Science is simply that sort of theoretical activity whose subject matter is theory itself (that is, theorising and other current theories), though whose object so far as the activity is rational, is the good - as is the case too with all forms of non-scientific activity. Scientific enquiry, then, is the species of rationality in which rationality, theoretical activity, takes itself as its own object. If this is correct, the claim is that the doctrine of Natural Law is not absolutist because the precepts, even of the most general form, are themselves the objects of enquiry within a larger, on-going process of scientific enquiry, theoretical activity, which is constantly developing and altering as its objects come to be understood. Obviously this argument will depend upon the dialectic of Aquinas. This will provide the connections between rationality, activity and theorising which are required for the remainder of this chapter and the thesis.

We have described the First Principle variously as preamble to practical rationality, practical directedness, and principle of action. Yet despite its status as psychological cause of action, and as one of the ultimate principles of the rational mind, it is also a principle of explanation, and, in this sense, a theoretical principle. The principle not only is the taking of intentional directedness over one's behaviour, but is the explanation of what happens when one understands the promptings of nature as good, as providing objects of pursuit: it explains this, and it is the practical intentionality behind particular acts. The principle of action is theoretical because it is the explanation of action. It is theoretical in another sense. It is not a component of action, but a condition of action. For action to occur the directedness which this principle provides must interact with objects to which we are inclined. The psychological aspect of the principle, its intentionality, is, therefore, conceptually distinct from action - though inseparable from it at the level of experience - because not sufficient for action. This gives us a notion of bare activity, simple non-practical directedness of

behaviour, which is not action, but necessary for action. This activity might be called theoretical in the sense that it is a simple stretching out of the intelligent mind, as yet to no object in the world, involving no relevant bodily movements, but only the intentionality of the agent. In terms earlier used, this activity is a direct expression of reason as such; the preface to the practical reason, but no more a piece of practical reasoning than the ceaseless contemplation of the Law of Non-Contradiction is a piece of theoretical reasoning. It is sensible to call the First Principle in the form of this simple psychological experience, this direct expression of reason as such, theoretical because it is an experience of reason and because it will underlie all activity, both theoretical and practical, as explanation of that activity. There is reason, then, to label the First Principle theoretical. When we consider Aquinas's basically intellectualist conception of the Final End, this makes still more sense. The Final End is intellectual contemplation of God in union with Him, and all rational activity will aim at this. We might therefore expect the theoretical to penetrate the nature of all activity since it is for the sake of a theoretical union that all activity is undertaken.

The point of this is that if action rests upon a theoretical principle, then all human activity, practical and theoretical, is pursued through principles which are ultimately theoretical, and thus the way is clear to show that because the basic principles of rationality rest upon theoretical principle, the theoretical is the source of activity's rightness, its rationality. We are far from this conclusion yet, but must begin, building on what has already been established, to show that Aquinas's conception of theoretical enquiry, science, is that of activity; that activity is, like thought, a basic human condition (one of the two expressions of reason as such), but one yet more basic than thought since thinking too is an activity; that scientific enquiry is merely the most perfect form of theoretical activity; and, as has been already suggested, that theoretical activity underlies all human action as well as all purely theoretical or 'intellectual' behaviour.

Unlike Aristotle, Aquinas has no extended study of method in his works. This is what we would expect. The goal of his work is oral communication and preaching. If the written work is ultimately a means to preaching, it is unlikely that it would form a separate object of major study in itself. The nature of the written text cannot, therefore, be clarified by a particular theory of enquiry buried within the *Summa*. The method and nature of the works must be discovered by considering the relation of the theoretical work to the activities of preaching and scholarly teaching.

In the later middle ages the method of writing of anyone engaged in scholarly work is determined by the method of study. For one, in particular, who writes for the sake of preaching and whose work is a contribution to the Final End of preaching only so far as it teaches, the connection between the form of writing and the method of study is obviously very close. Aquinas's teaching was done always within, or in association with a university, most notably, Paris. We need not here trace the well documented growth of the universities (for example, S.C. Ferruolo The Origins of the

University, Stanford; 1985), but only note the relative novelty of the first founding by authority of a university (Naples, by Frederick the Second in 1224) to someone teaching in the second half of the thirteenth century. Universities initially would base their instruction around the seven Liberal Arts, the trivium and quadrivium established both by the early monastic schools and the contemporary professional schools and chapter schools of the cathedrals. Scholars would then go on to undertake divine learning: scripture, the Fathers, canon law, liturgy and so on. The simple framework of division of the universities into faculties of arts and theology was challenged very early in the course of the evolution of universities by the intricate process of reception into the west of the accurate translations of Aristotle. As it stands, however, we must consider this simple hierarchical view of learning and the effect of this upon the method of instruction in order to determine the relevant facts about the structure of Aquinas's texts.

Learning, other than purely professional learning, was directed to the study of theology. An arts education was the proper preparation for study for the mastership in theology. Learning was also in the hands of the clergy. Universities were clerical bodies in which one would be instructed by those bound by their vows to the faith, in the knowledge of the faith, in the hope that in time one would take up the duty of passing this knowledge on. The hierarchical view of learning of the thirteenth century is reflected in the very structured methods of study the universities adopted. In all study the lecture was basic. A lecture, or commentary took the form of a literal reading and then a free commentary on a text, followed by discussion. These texts were taken from collections known as 'Sentences', originally simple collections from Church Fathers but often including commentary from the compiler, as in the famous Sentences of Peter of Lombard. The Sentences were more than a mere text book. Approval and long and extensive use gave them an authoritative status so that in his commentaries upon them a professor was not at liberty to reject the text but only to interpret it, having first accurately expounded it. The second basic unit of study was the quaestiones disputatae: the presentation, explanation and proof of a particular proposition by the professor, with formal replies to any objections raised. The third, much less frequent, vehicle of study was the quaestiones quodlibetales, a public occasion on which a professor would answer questions asked at random on contemporary topics, his answers being tentatively replied to by a bachelor and these replies themselves formally replied to by the professor at a later occasion in the form of a disputation summarising the whole session. It is clear that the means by which teaching and learning were carried on was primarily the disputation. Although the lecture may have held greater importance for the student, the structure of the lecture can be seen as basically that of disputation, and the concluding discussion as a separate summarising disputation. Lectures were, of course, quite different occasions from disputations, but the method of both was disputational in that the master would present, expound, interpret, and defend (see A. Kenny, 'Medieval Philosophical Literature' in Cambridge History of Later Medieval Philosophy, eds. N. Kretzman, A. Kenny and

J. Pinborg, Cambridge; 1982; Kenny's ref., p. 20, to Peters on the history of the lecture). Kenny (p. 24) asks whether the origins of the disputation might be found in the form of the lecture, but it is clear that this is merely conjecture and that considered in isolation from disputation the form of the lecture has little to distinguish it as unit of study from any other form of intellectual debate. Any teaching and learning requires communication of understanding, and this involves questioning and interpreting in the light of what is already known, and for the early universities this is discovered in the structure of the disputation which is common to the quaestiones and the lecture. Once the institutions of community learning exist, the disputational form of study in one shape or another is inevitable (though see the view of A. MacIntyre Three Rival Versions of Moral Enquiry, Duckworth; 1990, ch. 4 on the Augustinian background to the quaestio).

What is unique in the institutions of learning of the medieval universities is the common allegiance of all participants of the learning community to a faith which permeates totally the nature of the learning they are there to attain. This state of affairs used to lead to the opinion that the medieval programme of study lead to sterility of thought. This opinion contains truth only so far as concern for novelty is an issue. The disputational method does not allow for originality of the sort we would normally consider a virtue. In an intellectual environment in which there is enshrined an authority established beyond doubt, students and teachers and the institution itself seek to understand and to communicate truth which is expressed in a body of propositions which have absolute authority in virtue of their relation to a prior set of authoritative propositions which are ultimately related to a non-propositional source of truth. In so far as scholars and masters function well they will understand and add to this body of propositions. Rational debate, intellectual life, here takes the form of interpretation of certainty, and communication of this interpretation. Scripture and church tradition, which represent certainty, are interpreted, for example in Lombard's Sentences, and this interpretation is accepted by all as it faithfully states and humbly interprets the propositions of scripture and the church. Next, a master, accepting the authority of Lombard, states one of the sentences and gives a commentary on it. This commentary, because of its fidelity to orthodoxy, is approached by the scholar as authoritative. He then enters into debate with the master and his objections will be rejected if contrary to the authority for that very reason, and accepted if compatible with it and incompatible with no other authoritative proposition. If, in a varied series of examinations, the scholar's proficiency in this process is demonstrated, he will in time become a master. Obviously, then, originality, in the sense of novelty, has no role to play in this process. Original commentary is welcome, but innovation is not.

Originality does not only risk rejection, but is dangerous. Debating with the master in order to have your point accepted by him not because it is compatible with his thought but because it surpasses his thought as an account of the truth is not only to offend his pride, but to offend against authority. His authority is the vehicle



through which orthodoxy has been communicated to you (only advanced theology scholars would study the scriptures themselves as texts). If orthodoxy is communicated in chains of authority, diverging from the authority of any link of a chain is indistinguishable from diverging from orthodoxy itself. In a society such as that of the medieval Christian universities where encounter with the canonical text is impossible for most, and even for the educated reserved until after many years instruction, commentaries or interpretations of the text have an actual authoritative identification with the text itself. To challenge these is dangerous because it is by the sacred text and tradition that society is ordered and governed. The method of study guards against these dangers. Furthermore, the writing of theological texts, each a considerable physical labour, also guards against this. Licensed texts, works the faithful might refer to, are written as a result of, or with a view to, the process of teaching and learning. They therefore exhibit in their structure the same authoritative derivation as the derivation of the master's orthodox teaching. This did not, however, mean that all written works had to be disputational in form. The twelfth and thirteenth century masters also wrote 'summas'. A *summa* was a free collection of doctrine whose form need not be disputational. It was generally directed to a particular purpose (as Aquinas's *S.C.G.* is said to have been for the use of Christian missionaries), or for the instruction of particular groups (as the *S.T.* was written for Dominican novices). The *summa* allowed the master to tailor his text's form to his particular purposes. The approach to the subject matter was therefore more personal, rather than reserving personal comment to an explication of the authority being discussed. The *summa* became a popular form of text, and often complex beyond the implications of 'summary' or 'compendium'. Famous *summas* were written by Bonaventure, Alexander of Hales, Albert the Great and others, as well as Aquinas. The problem with the *summa* was that although it gave greater potential than disputation for personal creativity and tailor-made design, it appears static compared to disputation. The *summa* was the summary of thought to date on a particular topic or area, directed to a particular purpose. Disputation, however, though it discouraged innovation, was a dynamic process of continual debate in the light of the common disclosure to which the whole community looked. The masters could see themselves engaged in a process, an on-going activity, in which the divine authority, the source of their commission, was gradually, and ever more efficiently, disclosed to the community. Thus the *summa* allows for a particular, and, to an extent, personal summary and exposition of knowledge to date which can go beyond individual propositions but which need not leave the confines set by its own purpose, but such a text is limited by its purpose and by the present state of knowledge which it expounds. Meanwhile the disputation does not welcome radicals, but does allow for an approach to learning as an activity of reason employed in clarification of the faith. This academic background to the work of Aquinas is of great importance in understanding his approach to and method of theoretical enquiry. Of equal importance, however, is the Aristotelian background to his theory of rationality. When he moved

to Paris from Cologne in 1252 Aquinas would already have learned much concerning Aristotle and his classification of the sciences from Albert the Great. Albert had great, though not unlimited, respect for Aristotle, and would have shared the general acceptance of his logic, and, in particular, of his work in the natural sciences. At Paris parts of Aristotle and most of the logic had been lectured upon throughout the thirteenth century, though always in the translations and commentaries of others, particularly of Avicenna. Condemnation of the first attempts to teach Aristotelian metaphysics occurred in 1210 at the hands of the Council of Paris. In 1215 the papal legate intervened and Aristotle's work was forbidden to be taught except for the ethics and logic. It seems that although the condemnation was not withdrawn in the bull of Urban the Fourth to the university in 1263, the metaphysics were being openly taught in the 1240's and 1250's (F. van Steenberghen, The Philosophical Movement in Thirteenth Century, Nelson; 1955, 3). We need not here examine the reasons for theological disapproval of Aristotle or the general nature of Aquinas's Aristotelianism. My concern here is only to note that throughout his time at Paris the goal of Aquinas's work within the institutions of learning already described was the creation of a firm philosophical foundation for theology, and that the most challenging and topical source of philosophical thought was the Aristotelian corpus.

The very completeness and comprehensiveness of the corpus, of course, posed a considerable threat to theology and Christian philosophy, as did the commentaries surrounding it; witness Aquinas's treatise On the Unity of the Intellect (ed. B. H. Zedler, Wisconsin; 1968), against Averroes. As van Steenberghen, and all philosophical historians of this period, make clear, it was a time of considerable uncertainty in the university community. Some sort of defence against new, Radical, Aristotelianism was required, but the difficulties concerned not merely the content of this defence, but the means of making it, given the nature of philosophical debate as I have outlined it. If Aristotelianism poses a serious threat to the unity of christian scholarship, if the possibility of a formal separation of philosophical speculation from theological is being raised, not only a brilliant response, but one brilliantly demonstrating the unity of scholarship is required. The disputational method, however, did not favour the sort of innovation of content and form required; and the other permitted forms of text did not easily allow for the view of learning as the actualising of divine disclosure in rational communication; they did not provide the means of scholarship expressing itself as unity and progression rather than as expanse of learning tailored by the text into particular topics and particular purposes.

Aquinas's response, in its fullest version, is the vast Summa Theologiae written in the 1260's and 1270's. When we consider the material he had to either reject or unite, and the restricted textual frame in which he could do it, the Summa obviously represents maximum economy with optimum flexibility. The never completed Summa was written in the disputational method. It has a particular purpose, the instruction of novices, and a particular 'theme' in that it deals with the series of propositions leading

through natural theology, the divine attributes, creation, the human creature and its participation in the Eternal Wisdom. However, the content of the Summa is without limit in that its method recapitulates the total progressive disclosure of authority to date in a single, theological, text, and the series of objections it responds to could be extended by minds other than Aquinas's so long as they accept the total responses to date.

The objections replied to in the Summa and the authorities cited add up to an incredible list ranging from the Fathers and the traditional wisdom of the church, through Socrates and Aristotle with all the ancient authorities he discusses, Pseudo-Dionysius, Proclus and Plotinus, Cicero and Seneca, to Averroes and Avicenna, Maimonides and Avicebron. This enormous repository of information dealt with in the series of articulated quaestiones means that the fact the Summa represents the stage knowledge has reached at one particular period of the thirteenth century is a positive virtue of its construction: it is not frozen at this point, rather the value of the disputational method, whose product is as 'complete' at any point as it is at any other, is demonstrated by the fact that the Summa does achieve for a particular time and purpose a current state of completion. The advantages of the Summa do not limit the structure of disputation but indicate that this structure is capable of providing concrete results at particular times.

Since the disputational method is open to inclusion of as many objections as can be raised to particular propositions and to assertion of as many propositions as can be validly derived from previous propositions, it has a dynamism which allows for indeterminate continuation, and a unique perspective upon every moment of any stage of the debate which allows for a recognition of the reality of the views of the present without compromising the integrity of the total process of divine disclosure. This dynamism is, then, in a sense cumulative, but at the same time and in any point open to complete revision. For this reason it seems to me that the Summa, and the particular theories of the Summa, are not accurately described as theories of anything, though at all times they must have had as their object something, but as theory become activity: an incompletionable process of theorising in which we are invited to participate.

There are other disputational summas (for example, Alexander of Hales). Why is Aquinas's S.T. unique? The answer to this concerns his theory of practical rationality, the doctrine of Natural Law. As we have seen, the practical reason rests upon a First Principle, the principle of action, which is one of the two irreducibly basic conditions of the rational mind. We also saw that this principle can be considered in abstraction from all particular ends of action, both as an explanatory principle of activity of any form and as cause of the experience of basic directedness which is conceptually distinct from action. I suggested in connection with these points that the principle is best described as theoretical with no reference intended hereto the particular activity of theoretical reasoning.

My point here is that this basic principle, the First Principle of practical reason, is Aquinas's explanation of participation in activity in general, and therefore of that sort of activity which

we call scientific enquiry, such as the creation of S.T., and that it is, ultimate cause of our participation in activity. This is not it must be emphasised an argument of Aquinas's; it is my attempt to account for the unity of the structure of S.T. with the particularly rich Thomist doctrine of Natural Law with its components of Stoic 'impulse', neo-Platonic hierarchy, and Aristotelian teleology. The First Principle of practical reason, with its grounding on a pre-rational teleology of action, a formal concept of 'reason as such', and its need to select ends of inclination if it is to become actualised in action, must bear some relation to the complex of acts, the participation in activity, the highest form of which is theory construction, scientific enquiry. If it is explanation of all participation in activity, as well as principle of action and preface of rational action, the First Principle is explanation of participation in that activity which is the writing of a text.

Although not an argument of St. Thomas's, the notion of activity as a more basic category than either thought or action has some support in Aquinas's writings. At Comm. in 1 Sent. (ed. R. P. Mandonnet O.P., Paris; 1929) 31, 2, 1, ad 4 he writes, 'Beauty is not an object of desire except insofar as it assumes the nature of the good. Truth is the same.' The point is clearly that the desirability of truth, the end of the theoretical reason, is dependent on its being seen as part of the good, the end of the practical reason. But clearly truth is not a result of action in any direct way; rather possession of the truth is the result of action. Therefore the truth is part of the good not because it is an end of practical reason, but because its possession is an end of practical reason. If even the end of theoretical reason can fall under the province of the First Principle of practical reason in so far as it is part of the good, this suggests that this principle occupies a more basic role in the constitution of the rational being than that of theoretical reason, and that its basicness also goes beyond that of the practical - since truth is not an end of action. This I style its role as principle of activity, the expression of reason as such.

Further evidence consists in Aquinas's opinions concerning the construction of basic principles. Although we are disposed towards knowledge of these principles respectively by the habitus of the intellect and by synderesis, they are not immediately known by the intellect but constructed from dialectical enquiries and sense knowledge (see S.T., 1a, 85, 8, reply to ad 1: 'In the acquisition of demonstrative knowledge principles and elements do not always come first since, at times, we come to the knowledge of intelligible causes and principles from sensible effects'; 1a, 85, 8, reply to ad 3 suggests the objects of the intellect are not first known because of their similarity to the intellectual faculty, but because of their relation to the form of the object already in the knower, suggesting that in knowing them we need not first know principles; 1a, 85, 3 Responsio claims knowledge of singulars precedes knowledge of universals - sense knowledge precedes intellectual - and that the more general knowledge always precedes the less general). Commentary on Physics (R. J. Blackwell, R. J. Spath and W. E. Thirkel eds. Yale; 1963) confirms the priority of sense knowledge over intellectual in us: 'But we should understand that



there he takes "singular" to mean the sensible individuals, which are indeed better known to us, because sense knowledge, which is of singulars, in us precedes intellectual knowledge, which is of universals', Lecture 1, 8. Comm. in Post. Anal. (only in Opera Omnia, vol. 1, ed. T. M. Zigliara, Rome; 1882) 1, 20, on cap. 11, 27ff. ('Dialectica enim est de communibus; et aliqua alia scientiae est etiam de communibus scilicet philosophia prima... Sciendum tamen est quod alia ratione dialectica est de communibus et logica et philosophia prima...') supports the reading that the first principles of all sciences are established dialectically (see MacIntyre's analysis of this passage and of Comm. in Eth. 1, lect. 11, 12 at W. J? W. R? p. 172-5). If the principles of even intellectual enquiry depend upon sense observation and participation in the dialectical enquiries of the community, then all rational principles, both practical and theoretical, can be said to depend upon forms of activity which, though they involve thought and action, are preparatory to the rational activities of right action and true thinking.

Such activity will depend logically upon the First Principle, certainly as principle of action, but the point is these actions are not performed to achieve the good, but to give knowledge of basic principles which will be the grounds of actions in pursuit of the good. As the First Principle has here the role of causing activity which will lead to the good indirectly by providing knowledge of rational principles, it is not only principle of action, but also of a sort of activity more basic than action: dialectical activity aimed at knowledge of principles. This suggests again a concept of activity more basic than the categories of either thought or action though participation in this activity does involve the use of both thought and actions. That activity is more basic than thought (because thinking is as much a form of activity as playing rugby) and that it is more basic than action (because it is conceptually separate from ends of inclination, and because rational action rests upon participation in forms of pre-rational activity), and that the method of enquiry of Aquinas's text is that of participation in the activity of theorising I now take as demonstrated. The question now is the relation between the category of activity and the participation in such theoretical activity. The concept of activity rests, I have suggested, upon the First Principle, 'good is to be done and pursued, and evil avoided', with the reference of 'good' and 'evil' either unspecified since the principle is not here principle of action and so does not function as pursuit of specific ends, or specified as an objective (such as knowledge of principles of rationality) which will contribute ultimately towards achievement of the good. When we consider participation in activities we see that the references of 'good' and 'evil', not as ends of action, but as objectives of complex activities, must be specified. The difference between specification of 'good' and 'evil' as ends or as objectives is the difference between pursuing the perceived good through behaviour which is a mere means to it, and pursuing it through behaviour which is believed to be an actual participation in it. Basically, we can say that when we specify the good as something to be achieved not by means of our behaviour, but by means of what our behaviour accomplishes in its

performance, then we specify an objective and not an end, and our behaviour is a participation now in the good. Such participation is what I have described as activity.

Now, if I am correct, and there is such a difference between the role of the First Principle in the performance of actions and in the participation in complex activities, interesting conclusions follow concerning, in particular, scientific enquiry. It is possible to describe scientific enquiry as participation in one sort of activity without describing it either as thinking activity or as practical activity. What makes the activity participated in scientific is not that it involves the theoretical and not the practical reason, but the nature of the good participated in in this form of activity. The good in question, if it were being considered as the end of actions, might be called knowledge; but here we are concerned with this good so far as it can be participated in by human beings. We can call it the establishment of orthodox, or permissible propositions. Scientific enquiry, for Aquinas, is activity aimed at the establishing and clarification of authorised propositions by means of consideration of these and of heterodox propositions.

If the nature of scientific enquiry is determined not by the sort of operation of reason involved but by the objective of the activity participated in, then it cannot be said to differ from other forms of activity in its thoroughness or 'objectivity': science is differentiated not by a particular operation or degree of reason, but by a particular objective. If, then, we consider participation in any other form of activity, such participation is not more or less 'theoretical' than scientific enquiry but simply participation in a different theoretical activity, participation in a different good. We can, of course, ask whether this good is a true good, part of the human good, but such enquiry into the rationality of an activity establishes only whether its objective is or is not part of our Final End, and not that participation in it is more or less an engagement of reason, an engagement of the First Principle, than participation in any other activity.

The relevance of insistence on this is that if we can claim that any activity is distinguished not by its degree of either practical or theoretical rationality, but by its objectives, and that activities are evaluated by the relation of their objectives to the Final Good, then activity is an engagement of reason at a more basic level than the practical/theoretical dichotomy. It is caused by, and explained by, the First Principle, one of the two necessary constituents of 'reason as such', operating not as principle of action but as basic psychological cause of activity in general and theoretical explanation of complex particular activities. Now, as this principle has already been shown to be theoretical in virtue of its causal and explanatory roles, activity, which is caused and explained by this principle, can be claimed to be theoretical in this limited sense. Activity, whether basic or complex, is not practical: it is either pre-practical intentionality of the First Principle, or theoretical coordination of actions into patterns of pursuit of the good. Science is not a theoretical species of activity, but a species of (theoretical) activity which has as its objective the

correct consideration of theories and theorising. The theoretical is not the preserve of science but is the nature of the most psychologically basic, and of the most intellectually complex human behaviour: activity.

The flexibility of "activity" - it is familiarly both the fundamental expression of movement of a human being as non-intentional behaviour and the description of complex projects participated in through the performance of clusters of actions - might seem to be sacrificed for the intellectualist connotations of "theory". However, what has been said should show that 'theory' is being used not to connote 'more scientific', but to indicate that all attributable human behaviour involves at the least some degree of intellection. Just as all thinking is activity, so every act is theoretical in its dramatising of prior intelligent imagining. The theoretical is present as intelligent component in all activity - the most complex activity participated in and the most basic activity registered in the body - this is what makes such behaviour activity rather than movement: if there is no intelligent element there, no proposition formulated, nothing has been done. Activity is differentiated from will in respect of the minimal degree of this intellection. Will necessarily involves the intellect. It functions specifically in response to intellectual apprehension of a good (1-2, 8, 2) and to the efficient means to that good (15, 1). However the intellectual component of activity need not be judgement concerning a good or a means established by deliberation; it need only be a proposition formulating the performance of certain behaviour which, but for the proposition, would have been something which merely happened to the agent.

Theory in this sense does preserve the ambiguity between complex actions and the most simple intentional behaviour, but it also allows us to distinguish these in terms of the complexity and completeness of the proposition formed upon which we pursue the objective of our activity. The complexity and completeness of this proposition no doubt, though I will not pursue the suggestion here, also gives us grounds for establishing when will is present and when it is not. These remarks justifying the description of activity as theoretical because of the need for the theoretical in explaining the psychological and explanatory connotations of activity are also intended to support the earlier claim that the First Principle is a theoretical principle because of its role as psychological cause and as explanation of activity.

My final concern here is to relate what has been said concerning activity and theory to rationality. I have suggested the First Principle of practical reason, the ground and preface of the Natural Law, is principle also of activity, and in doing so have suggested an account of the relation of action to simple, pre-practical activity and to activity considered as a complex phenomenon. The doctrine of Natural Law explains rational action by rational grasp of objects of certain inclinations as goods. As I have located rational action within the context not only of the class of actions, but of activity which is explained by the same principle of action at a level prior to its prescription as practical reason, we would expect explanation by the Natural Law too to be situated within a context both more basic

psychologically and more complex at the level of human participation. The precepts of Natural Law, the ends of natural inclination, must themselves be subject to a more basic explanation which must explain also our participation in more complex human activities.

The explanation of the natural inclinations, I suggest, is human nature as theoretical, as intrinsically tending towards activity at the most basic level. The ultimate ground of human nature is the urge to participation in the creative act, the act of God; the tendency towards doing. If we understand this as human nature, rather than the Aristotelian theory of nature Aquinas himself held, it is then possible to explain natural inclinations. They are still basic to rational action in that they are the first precepts of human nature, however as this is now seen to be an intrinsic tendency to theoretical activity and not the existence of a certain sort of essence, they need no longer be a determinate set of the aspects of our good, but can be understood as inclinations towards features of whichever forms of activity we choose to participate in. Natural inclinations, then, though we can still hold they are basic to rationality of action, are themselves explained by our individual participation in activities. Their existence is explained by activity in the psychologically basic sense: we just are beings which are essentially active tendency; their sort is explained by activity in the complex sense: our pursuit of particular objectives through participation in various forms of activity provides us with inclinations to the ends of acts which structure these activities. However, the question of the rationality of these forms of activity presents a problem: on what basis can activities be rational if not on the basis of right action (which would be circular) or natural inclinations (which are to specifiable objects of action, and not objectives of complex activities)? How does the concept of human nature as theoretical activity explain the objectives of our activities in such a way so as to rationalise them? If we return to the example of dialectical activity aimed at the discovery of basic principles mentioned earlier we can find an answer. What this involves is consideration of common standards with the goal of establishing basic principles. The production of basic principles by such dialectical enquiry into the opinions of the many we have already shown to have a place in practical reasoning by supplying norms of human law and convention in detailed cases of rational action. My suggestion now is that the criteria by which forms of activity are to be evaluated, criteria which, unlike those of action, cannot be provided by inclinations of nature, must then be discoverable through such enquiry. It is in terms of the received standards of the community that the question of the rationality of participation in particular activities, the question of the rationality of objectives, is determined. Such theoretical activities as dialectical enquiry, however, we have already said, are forms of activity no more thorough or theoretical than any others; they differ only in their object: theories and theorising. Participation in that form of activity which gives us knowledge of which activities it is rational to participate in, then, is not a first-order participation which provides a privileged sort of knowledge; it is simply a matter of one activity



influencing our other activities. Furthermore, how it does this is by consideration of 'theories and theorising', namely those activities in which the many of the community do presently take part. Rationality of activity not only has its source in the activities of the community, then, it is the activities of the community. Rationality of activity, which is basic cause of, and complex explanation of, our individual practically rational actions, simply is the conformity of activity to the present standards of activity. Community norms direct the basic drive to activity towards objectives which are rational, and these activities then pattern the ends of natural inclination into objects it is rational to act so as to achieve. If rational activity is that activity which is participated in in accordance with norms subject to alteration and development, a particularly important and useful example of rational activity will be activity which not only reveals the present standard, but which reveals also the dynamism by which the present standard is being tested and revised. Such a sort of activity, of course, is a text like Aquinas's S.T. which possesses the capacity of the summa to comprehensively survey the present to a particular end and the capacity of disputation to make apparent the process of disclosure of the truth through the establishment and repeated defence of authorised propositions against objections. It is because Aquinas's Summa has the form that it does that the criticism most likely to be raised by contemporary readers, that rationality is grounded in self-evident basic principles which we cannot accept, is the wrong sort of objection. The text demonstrates that rationality can both consist in activity and prescribe self-evident principles because the principles, their self-evidence and the thirteenth century concept of the nature of the good are all particular propositions within the historical, and quite contingently structured, process of participation in theoretical activity. The connection between dialectic and disputation in S.T. is unmistakeable. The claim now is that rationality in a very important sense is that particular form of theoretical activity which is scientific enquiry, and that the text of such enquiry has a special status if it makes its disputational nature clear as the thirteenth century quaestiones do.

The relation of the First Principle and of the concepts I have derived from it to the structure of S.T. means that certain of the virtues of S.T. can be understood as marks of rationality itself. First, the method of proof which we discover in S.T. is not that of a highly deductive derivation of certain conclusions from self-evident premises. Proving propositions is participation in a form of non-completable activity; proof is not demonstration, but activity. This activity, for example in the case of S.T., is not merely a method of putting the argument of S.T. forward, but is very largely what the argument of S.T. is. That is, the nature of the Summa is theory of rationality: it makes the rationality of the faith happen through colossal philosophical synthesis; its disputational structure means the activity it involves is crystallised as particular demonstrations while allowed to develop as continuous rationalisation of the faith by consideration of propositions through new objections. The theory of rationality which S.T. is is

emphatically not Aquinas's theory of the dual operation of reason as practical and theoretical. This is simply one more theoretical construction within the process of active rationalisation of faith. My point is not that the doctrine of Natural Law and the logic of Aristotle are in some way not correct; rather, the form of the disputational Summa allows them to be both correct, and themselves propositions to be defended against, revised in terms of, and perhaps rejected in favour of, those propositions the theorist raises as objections.

Aquinas does teach the precepts of Natural Law to his novices, but he also teaches that theorising, theoretical activity itself, is the performance of, or the demonstration of, rationality. Rationality is theoretical activity, and, paradigmatically, it is theoretical activity concerning theoretical activities: scientific enquiry, theorising about theoretical enquiries. When we ask, 'yes, I know this and this are rational, but what is the rationality they actually have? What is rationality?', the answer is 'rationality is participation in activity; especially it is participation in that intelligent activity that considers the propositions of other intelligent activities and seeks answers'. We do not define rationality; we exercise it. How we exercise it - the various processes of acknowledging received propositions, recognising 'objections', operating the common rules, revising propositions - is explained by Aquinas with the use of the Aristotelian concepts of dialectic, first principles and practical reasoning and the medieval methodology of scholarly enquiry. The disputational terminology of his own explanation is probably of little use to us. But Aquinas's principles and methods do indicate more accurately than any other combination of content and form, argument and text, including Aristotle's, certain necessary features of rationality. Rationality is activity; it is dynamic: not relativist in the crude sense of modernity, but constantly open to reasonable revision in the light of 'objections' which prove to be of greater explanatory capacity than the principles; it is theoretical, and paradigmatically theoretical enquiry into other theoretical enquiries; it concerns proof, but not as certain demonstration but as ongoing activity.

The key to the explanation of the relation of the Final End to human nature, then, is rationality-as-dialectic, or as I have expressed it, rationality as theoretical activity. This is what I have referred to as the 'deeper' account below Aquinas's theory of rationality, which is responsible for it and for all theories of rationality. This position of an account of reason being responsible for the dynamism of all directed activities, including the activity of constructing a theory of the way in which one pursues one's activities, a theory of rationality, is the one I hold, and which I will go on to defend against two strong alternatives, and then to develop in the context of a theory of morality.

The Thomist basis of this position is not complete without acknowledging the nature of the community in which for Aquinas the current standards of theoretical activity are given and activity is participated in. This will be a major theme, particularly of the morality section, of this thesis. For Aquinas, this of course is the community of faith. The main difference between Aristotle's community and Aquinas's is that Aristotle's is self-determining in accordance with continuing pre-rational dialectical enquiry whereas the

dialectical enquiries of Aquinas's community are not pre-rational but are themselves the rational enquiries. Rationality for the community of Aquinas is those enquiries currently taking place from the position of those principles, now accepted as orthodox, which were originally arrived at through just such enquiries. The division between rationality and dialectic, science and the common opinions, does not exist for Aquinas. And this, of course, is because of the faith. Because the community of faith is a community headed for some final consummation or disclosure which is both its telos and the ultimate Principle behind all its principles of activity, its Creator, the enquiries of the community are never solely self-determining, but are already determined by their adherence to the principle at source - scripture and the church - and the Principle as goal. The common activities participated in, then, those which provide and reflect the norms of enquiry of the community of faith, are rational right down to their roots. The sort of community it is means that it does not rely merely on the dialectical justifiability of its first principles for its standard of rationality: its nature as ecclesiastical transcends the distinction between the scientific and the dialectical so that its first principles are dialectically justified only because of their role in structuring activities within the community which do tend towards its attainment of Perfect Beatitude.

It is because of this that the community of faith must have authority structures which are not merely political, but which define authoritatively the rationality of activities, which express and safeguard the Final End. Aquinas's teaching, of course, is located within this chain of authority. The Thomistic view is that those authority structures can both be necessary and not contrary to the unhindered dynamism of rational development. Authority does not entail the impossibility of freely reinterpreting all propositions, including those of this authority, and of revising or rejecting any, including those upon which the authority is constituted. It is possible to hold to and respect authority, and so to proceed in conformity with supernatural destiny, without accepting any proposition as absolute in the sense of beyond rational question, beyond theoretical enquiry. Aquinas's vision of the rational community is extremely important in showing how a community constituted and sustained by authority and existing for a definite purpose can yet possess the dynamism of full rationality. Authority and dynamic rational enquiry are not incompatible. It is because of this reading of Aquinas that I claim the principles of his theory of practical rationality are not absolutist.

I summarise the relevance of Aquinas for the remainder of this thesis as follows. First, his application of Aristotle's belief in the importance of the common beliefs of a community to a community which is not political but under authority deriving from some canonical source. Second, the discovery that the first principles which for Aristotle are explained by the endoxa can be challenged in theory, and not only at the level of pre-theoretical dialectic, by opinions from other communities or traditions of enquiry, and can be reinterpreted by our understanding even of these alien norms while not being sacrificed to them. Third, the demonstration that proof is an incompletable activity and one in which we ourselves and those who come after us can take part. Fourth, the insight that

theorising, particularly about theory - whether of biology, epistemology, paleology or rationality - is actually the paradigmatic rational activity: in participation in theoretical activities with theory as their subject and theoretical advance as their object we discover the fullest extent of rationality. I believe these four points structure in crucial ways our understanding of rationality. They are not a theory of rationality, but add up to an account of rationality criterial for any theory of rationality, however far from the Thomist tradition it appears to be. Rationality is participation in theoretical activity within a particular community of enquiry; the existence of basic principles of rationality and authority structures in such a community need not impair the dynamism of rationality, but actually help to clarify the activities of the community as ceaseless questioning of orthodoxy in order to approach by dialectical enquiry the unambiguous assertion of the truth.



### Chapter Three.

The tradition of Natural Law thinking is wider than the natural law theories of the early Roman and Greek Church Fathers and the medieval theologians. Natural Law tradition is not the subject of this thesis, but the foundational concepts of Natural Law are, and since my treatment of these concepts in discussing Aquinas is so different from that of the tradition, I must provide some discussion in support of my views. The part of this discussion intended to indicate the weaknesses of the tradition will discuss representative views within it from a Thomist perspective.

I understand by the 'natural law tradition' a wide class of views. These views fit the following rough description: natural law theories are theories holding that all significant problems of human life can be solved if we understand human beings within a context or 'family' which not only explains their behaviour, but which, in situations in which a particular response of an individual is required, allows the individual to know what response to make in virtue of certain facts about this context and certain operations of reason, in all which cases this response is objectively true without compromising its particularity. The tradition, then, is a moral tradition, and one in which the basic concepts which have come down to us are, surprisingly, not law and nature, but action, reason and the human good: Aristotelian concepts. The relation of the original Stoic concepts to the later Aristotelian ones within Natural Law tradition does not concern me here.

For Aquinas the 'family' in which we are located is that of the universal order of which human beings have membership through their rational animality and their participation in Eternal Law. I have explained how I think he has an account of rationality which successfully explains how we participate in Eternal Law, through conformity with Natural Law, while existing as individuals in particular human communities, born into certain ways of understanding and acting which limit the possible ways in which we can behave. His explanation of this conformity is by means of a highly developed version of the Aristotelian concept of practical reason and by the fullest possible participation in the forms of theoretical enquiry through which the medieval masters effected the communication of knowledge.

Before reason can grasp first principles, I have argued, Aquinas requires, as does Aristotle, absorption in the ways of the community and in its forms of understanding. The great advance with Aquinas is that the processes of dialectical enquiry within a community are not only pre-theoretical, but continue with theorising: actual intellectual debate, and not just demonstration, concerning the first principles themselves is possible for a member of Aquinas's (ecclesiastical) community. For him, although the Final End is external to all dialectical enquiry - rational principles cannot be 'free-floating' in the way Aristotle's inductively established ones are - first principles are nevertheless not established by dialectic and then handed to the scientists, but are open to challenge and to re-interpretation from other intellectual communities, as well as constantly subject to development and interpretation from within the ecclesiastical community. The reason Aquinas can allow for

development and advance at the theoretical level and not only the pre-theoretical level of the endoxa is that although his Final End is determinate, his community of enquiry, unlike Aristotle's Athens, is not simply one which is political, but one whose membership transcends different societies, restricting itself only to rational nature, human beings. Although depending upon community norms for its first principles as much as Aristotle's, then, Aquinas's community, because it is larger than any particular political community, is able to challenge first principles from bases outside the internal endoxa. Dialectic is non-scientific for Aristotle just because ethics must culminate in politics. For Aquinas dialectic is scientific because first principles of ethics, and all first principles, are the reflections not just of political endoxa, but of a rationality which is exercised through the most basic human natural inclination, which is shared by all human beings, and which therefore involves challenging our current first principles with all alternatives.

This understanding of Aquinas led me to claim that it is theoretical activity which is rationality, and that it is in theoretical activity directly concerning first principles - theoretical activity concerning (theoretical) activities - that we discover paradigmatic rationality; and that it is of the essence of such activity that it is non-completable: its end would be the destruction of rationality. These are the features I wish to defend as basic to an account of rationality.

I am going to look at two modern English writers of the Natural Law tradition within the field of jurisprudence. My aim here is to ask whether they maintain the successful unity of Aquinas of overall human 'context' providing objectively true answers for individuals in particular situations, and if not, whether they develop successful alternatives.

William Blackstone's Commentaries on the Laws of England (ed. J. Chitty, London; 1826) attempted to do for English law what the celebrated Viscount Stair had achieved for Scots law a century before: to provide a systematic codification of the law within the context of those beliefs in terms of which all concerned with the law understood and explained it. Blackstone's work does not have the scholarly approach of Stair's (J., Viscount Stair, The Institutions of the Law of Scotland, ed. D. M. Walker, Edinburgh; 1981). This is because Blackstone addresses his work not only to those habitually concerned with the law, but to any man who had reason to become involved with the law or to understand it. I am discussing Blackstone rather than the greater Stair because his remoteness from Aquinas and the classical renaissance lawyers (Grotius, 1583-1645; and Suarez, 1548-1617) means that there are themes in his theory of law different from any so far mentioned. The heart of this theory is contained in the 'Introduction' to the Commentaries.

In section two of the 'Introduction' (vol. 1) law is described as a rule of action, and action attributed to rational, irrational, and inanimate things. It follows there will be different sorts of law to cover the actions of these very different subjects. Laws are prescriptive, that is, laid down by a superior. God impressed principles upon created matter, and upon its motion, and upon vegetable and animal life: 'the method of animal

nutrition, digestion, secretion, and all other branches of vital economy' (p.34). Non-human creatures invariably obey laws: to be what they are depends upon this obedience. Human beings, however, have reason and free will, and they are commanded to use these to regulate their conduct. The form of regulation, however, is not complete self-determination. Man 'is entirely a dependent being' (p.35), and so far as he is dependent he must regulate his conduct in accord with the will of that upon which he depends. So reason and free will mean that men do not invariably conform to law, but that they are able to receive and assent to the law, and to fulfil it through these capacities. Consequently the law human beings assent to is a law prescribed as fitting for one who has reason and free will, that is, one who can assent to law, and who is also able to dissent from it. The object of ~~man's~~ <sup>man's</sup> dependence, however, is God, and his dependence upon God is absolute. Man must regulate his conduct, then, in absolute conformity to God's will.

The will of God is known as the law of nature. For man this consists of laws by which man's freedom is 'regulated and restrained' (p.35), and which are understood through some property of his nature. Because of God's wisdom, the laws he lays down for man are 'founded in those relations of justice that existed in the nature of things antecedent to any positive precept' (p.35). These are the 'eternal, immutable laws of Good and Evil.' In so far as they are necessary for the conduct of human behaviour they are discoverable by reason.

There are a number of differences between this theory of natural law and that of Thomas Aquinas. First, for Blackstone the law of nature is God's will, rather than that law obedience to which allows man to participate in God's will. Second, the laws of nature discoverable by reason restrain and guide free will for Blackstone. For Aquinas law is not a matter of restraining will, but the way in which God allows the creature freely to realise itself in the manner appropriate to it. Third, Blackstone acknowledges laws of good and evil antecedent even to God's legislation. Thus, God may be the cause of all existing good and evil but the nature of good and evil pre-exists even His legislative activity. Finally, he believes human reason discovers these immutable relations of justice only in so far as these are relevant to human conduct, that is, in so far as the Creator reveals them to us in the laws of human nature. The implication is that justice, the standard of goodness antecedent to God, exists quite in independence of us, is only selectively relevant to us or relevant to us only in one of its aspects, and is thus discoverable by us only in a restricted way.

The first of these points, equating the law of nature with God's will, is consistent with Blackstone's belief that law is prescribed by a superior. This view, so one-sidedly championed by Austin in later years, notoriously gives no grounds for obedience except self interest: it fails to distinguish the authority of the legislator from his power. It is not clear in what sense laws are prescriptive, especially when we consider laws apply to rational, irrational, and inanimate things; it is not clear laws require a prescribing agent or agency; it is not clear why we ought ever to obey a legislator on whom we are not completely dependent, and why we ought always to obey one on whom we are absolutely dependent. Worst of all, it is not made clear how

conforming to the command of a superior can be fulfilling specifically human nature. If human nature is rational nature, and if the will of a superior is communicated to human beings through reason, and the test of right action is simply obeying this command, then human nature (rationality) is merely the vehicle of obedience. But if reason is human nature it ought to be not merely the means of knowing and obeying the law, but itself (at least part of) the object of the law. For Blackstone it is not the flourishing of rational beings which is the mark of the natural law, but the use of reason to restrain human beings by assent to the will of a superior being.

Contrast this with Aquinas. For him obedience to the Natural Law is cooperative participation in the creative wisdom of God. When we obey a precept of natural law we accept a principle of practical reason: we adopt a certain sort of directedness, a certain prompting of the inclinations is understood by reason to be the basis for behaviour in pursuit of the good and in avoidance of evil. The object of the inclination which reason grasps as a good is the proper end of that individual, that which in these circumstances conforms it towards its Final End. These natural inclinations are implanted by God, which is to say (91,1) they are judged by the Eternal Law. What practical reason does in grasping the objects of the inclinations as ends of action is to engage in rational participation in the eternal Law (91,2): it is participation because the 'rule and measure' which is obeyed is in man both as that which is ruled and measured, and as that which rules and measures. Rational participation in the Eternal Law is Aquinas's definition of Natural Law. Whereas for Blackstone law is the command of a superior, and Natural law is the command and will of God, for Aquinas it is the participation of rational beings in God's wisdom, a participation made possible by actions intended to accomplish the proper ends of man, which actions constitute the life lived in accord with man's Final End. Natural Law is both the command of God and the means of leading a flourishing human life.

The second point I made concerning Blackstone is that the law of nature does not restrain will, but guides it through reason. He considers the law reason discovers to be a check upon unfettered human freedom. He is right that it guides free will, but not that it restrains it. Again, this can be understood by considering Aquinas. Aquinas does not conceive of freedom as the capacity to stand in a neutral position with respect to certain goods, and then to choose one of them. Freedom is primarily being the cause of one's own behaviour. This has two elements: realising there are certain objects which a being such as me must choose, and myself acting so as to realise these without such action being caused by any other agent or intervening factor. There is a connection between those objects a human being must choose and the capacity of a human being to be sole cause of his actions: in the choice of any other object, whatever else we can say of the choice, the agent is not sole cause of his actions. Whatever goods he successfully achieves by his actions, he is not in pursuing them pursuing any part of his human good, the good he must pursue, and not to be pursuing your good in any of your actions is something which occurs only when passion or some other intervening and distorting factor has intruded upon practical



reasoning. I am sole cause only of actions directed towards my good; I am free only when I choose to do what I must do.

The implication of this is that for Aquinas when I act freely my action is dependent, for free actions are not 'chosen' by me from some fictional position of neutrality, but are 'imposed' on me by my nature, by myself. The first lesson of freedom, then, is that we are restricted, limited by the restrictions of our own nature and what we can do to serve it. Since our free actions are those self-caused ones which fulfil our natures, the law of nature cannot be conceived of as a check upon our freedom. The law of nature is human participation in Eternal Law through the apprehending by reason of the objects of natural inclinations as goods of practical reasoning. It cannot restrain free action since free action is action undertaken by me to achieve these ends; it can only ground this action by showing its reasonableness, by showing that reason grasps the ends here pursued as goods. Natural law guides free will by revealing its objects as rational; it gives reason for what we do as exercises of our self-causation. It cannot restrain free will because it is on no occasion opposed to free will. Free will is being one's own cause, being oneself; the natural law is the way of guiding the will by reason, through that faculty which determines human nature. The self which we realise in free action is the rational self; and the natural law is both discovered through reason, and consists in the fulfilment of rational nature. In allowing him to discover natural law and to live by it God allows man to be the sort of being that he is. He gives back to him his freedom to realise himself as a rational being. This is the meaning of the famous doctrine of Aquinas that God causes man to be sole, though secondary, cause of his own actions (1a, 103, 6).

My third point concerned Blackstone's belief that the nature of good and evil pre-exist God. The point here, I take it, is that God could not make it the case that living dishonestly, for example, is good, because living dishonestly is excluded totally from the meaning of 'good' (or is included explicitly in the meaning of 'evil'). This line of thought is the equivalent in practical matters of the idea in theory that God could not create such monsters as square circles. God is limited, as are we, by logical possibilities because these imply no restriction upon His powers, but set the framework of possibilities. Similarly, God is limited by the nature of justice because this implies no restriction of His powers, but defines the area of His goodness.

This view, which lifts the nature of good not only from the deliberation and understanding of human beings but also from the will of God, cannot be correct. If it were, not only would unanswerable questions about the nature of the relation of justice to the omnibenevolence of God arise, but such questions would make necessary an understanding of God which is at odds with the whole biblical tradition. If goodness precedes God, among whose fundamental attributes goodness appears, God must be only either the upholder or the promoter of goodness; but if this is the sense in which we are to understand 'God is good', then God must be an agent; but there is no way in which God might be an agent for goodness is a fundamental attribute of His, therefore moral error is not a possibility, and so God is not an agent in any conceivable sense; therefore goodness cannot precede God (for the view that God is not part of the

universe and not an agent, see H. McCabe, God Matters, Chapman, London; 1987, Part 1). I suggest that the view that there are certain matters, logical or practical, which 'not even God' could alter is held as the result of there being certain sorts of creative acts of God which not even the finest human understanding could comprehend.

When we say 'not even God could make this different' the error we make is to place God within the appropriate sort of creative activity along with us, and to claim that whereas we, definitely, could not square the circle or make it the case that living dishonestly is good, God, narrowly, fails to do this. However, it is not true that there is an activity, logic or ethics, which we cannot do well enough, and not even God is sophisticated enough at, to produce certain results within. This is so because what would have to happen in producing square circles or making dishonesty good is an act of creation, something only God, and never we, can do (1a, 104, 1). We can only do good or think truly; we can never make good or truth. We can create only in a secondary, or efficient way (1a, 103, 6). We cannot produce existents, and if living dishonestly is to be good, new being, new forms of life, must be created. Just as the truth of 'there exist square circles' would require new shapes open to geometrical analysis, so the practical truth of 'living dishonestly is good' would require new actions and patterns of living open to ethical investigation. Human beings cannot create new forms of being: we can make squares and circles, deceptive actions and honest actions, but we cannot create a new phenomenon of shape or action which cannot be accommodated by logic or ethics (square circles cannot be fitted into our geometry; virtuous dishonesty cannot be fitted into our ethics). Since we cannot make new forms of being, and only God Whose very being is *Esse*, can, the sense in which God is creator is quite different from the creativity of His creatures. He does not occupy a universe of creativity with us from which His success and ours can be judged in logic or in ethics.

It may not seem to follow from this that it is false that there are certain things that could not have been otherwise, and thus that Blackstone is wrong in holding that justice is antecedent to God. Perhaps we cannot speak of 'even God' being unable to change certain things, but could it not still be the case that He is unable to change these things? This lingering doubt is due to holding out the categories of the logically possible and logically impossible as distinct and exhaustive categories, and, naturally, upon pain of inconsistency, holding that 'not even' God's will can achieve the logically impossible. But if the relevant category is not that of the logically im/possible, but that of creation or creativity, then the creation of 'good dishonesty' is a matter of a degree of creation that we cannot comprehend. That is, if square circles and good dishonesty are instances of the primary creative causality of God and not of human, efficient and secondary, causality, their inconceivability is explained not by a distinct logical category (the logically impossible), but by a degree of creativity which we cannot comprehend. Thus we can say God's power to create (various forms of being) is unlimited, and we cannot comprehend all of it. We can comprehend only that part which has fallen within our experience, and which appears to us, necessarily, under the categories of human activity. It could be that God will make living dishonestly

good though we do not have the language in which to frame this possibility. It is not a possibility which could be part of the Natural Law.

Finally, I think Blackstone is wrong to say we can know of 'the immutable relations of justice' only so far as this is relevant for human conduct, and that God reveals this information to us in the laws of nature. Certainly we do not know all that there is to be known, but it is wrong to see this as knowledge only of part of good and evil. We know good and evil in that mode appropriate to human conduct. This is not less knowledge than God has; nor is it different knowledge from that God has: the reason our knowledge is limited and God's is not is that we can only entertain it and apply it in a very restricted set of ways. We can express our knowledge of good and evil only in particular languages and with the conceptual limitations these possess, and we must pursue good and flee evil in action only in those ways in which it is possible for human beings to behave. We are limited by our finitude both as language users and as embodied beings. God, however, enjoys perfect knowledge of good and evil (He has perfect knowledge) and He is perfectly good (He does not pursue goodness). We have, then, the same knowledge as God, and we do not have 'lesser amounts' of it than God has. Instead, we have this knowledge in that we can express it and pursue it as human beings, while God has it in that He has omniscience and omnibenevolence in unity. God does not choose to reveal to us some of the knowledge of the good in the Natural Law (and keep some hidden); he allows us to participate fully in the knowledge and enjoyment of good in a human way.

This point is of great importance in understanding the deterioration in the Natural Law tradition. It is worth emphasising. If human beings have knowledge of good and evil and God has this too, and God's will is that human beings pursue the good, it is not likely that they possess a different sort of knowledge from God. If so, we would have to explain how the Natural Law, that we pursue the goods of human nature, is grounded upon the divine will, and how human agents understand this as the will of God. It is also not likely that human beings possess less knowledge about good and evil than God, because if the language of quantity is to be used, it seems clear humans can possess in certain ways more knowledge than God. For example, only human beings can act so as to pursue good (ends); therefore human beings possess practical knowledge concerning the good which God does not have. A quantificational approach can lead to great errors. We might claim that in respect of those human attributes negatively attributed to God - not material, not fallible, not inconstant - human beings are more accomplished than God - more substantial, more flexible, more unpredictable and so on. This indicates the great advantage of the Thomistic view of the knowledge of good and evil as the possession of the natural law: the participation of a created being that is human and rational in the activity of God after that manner appropriate to it. We can fail to participate fully in this activity, or crave a more intense form of participation, but what we cannot do is to ask for a knowledge of good and evil, a form of life, other than that appropriate for a human being. With the theory of the hierarchy of laws within which Natural Law is rational participation in Eternal Law Aquinas can explain how our knowledge of good and evil is not lesser than God's or different

from God's, but yet is never full or perfect knowledge because it is practical knowledge, knowledge of what human beings are to pursue. Blackstone continues his 'Introduction': if the exercise of right reason alone gave knowledge of first principles of natural law, few would know these. Due to His goodness, God has created us such that self-love, 'that universal principle of action' (p.36), is sufficient 'to enquire after and pursue the rule of right.' By self-love is intended happiness, attainable only through right conduct. This connection of right action to the 'universal' principle of action reduces the law of 'obedience' (again) to 'man should pursue his own true and substantial happiness'. This is the foundation of ethics or natural law.

There are various problems here: what is this happiness which seems to be necessary and sufficient condition of action? How is it discoverable independent of the law of nature? Often we mistake that which promises pleasure as the self-love for the sake of which we ought to act, and if there is to be a criterion marking off 'true and substantial happiness' from pleasure, this must surely be knowledge of first principles of the law of nature. We might also mention the frequent unhappiness of the just, not merely the loss of pleasure of the martyr but the deep lack of satisfaction of the faultless, if pedantic, upright but unimaginative human being. The real problem, however, is not the question of how happiness leads us to pursue justice, but of how it leads us to enquire after justice. Happiness may be harmonised with justice or virtue, as Kant may have thought, but how can it lead us to enquire into what is right to do? Concern with my happiness - for Blackstone, acting upon the universal principle of self-love - can have no influence in prompting me to the discovery of what is good, even if it is true that following self-love is pursuing good. That is, even if we are so constructed that the impulse to true and substantial happiness is always an impulse to justice, it does not follow either that we are constructed to enquire after the good or to discover what the good is. Blackstone's theory, like all natural law theories, is concerned not only with doing the good, but with discovering objective principles of the good and pursuing one's own good in particular situations as it is deduced from these principles together with more immediate considerations. It must explain not only pursuit of the good, but the pursuit of the good because it is the good. It must, that is, contain a theory of practical reasoning. Blackstone's concern with the motivational role of what he rather hopefully calls happiness blinds him to the facts that his theory must appeal to principles, that it must explain the role of reason in constructing and in applying them, and that, ultimately, this requires large-scale theoretical enquiry. He seems not to appreciate that for the natural lawyer enquiring into the good is not a supplementary or luxury activity, but part of the substance of ethics.

On the role of reason in discovering in particular situations what means will achieve true happiness Blackstone invokes revealed law to counteract the corrupting influence of passion. Revealed law is found in scripture alone, which is really part of the law of nature as it tends always to man's happiness. Again, he distinguishes revealed law, which is the law of nature, from what we call the natural law. The latter is what 'by the assistance of human reason, we imagine to be



that law' (p.38). Revealed law has 'more authenticity'; natural law does not have equal authority as we cannot be certain of it. To re-state the position of Aquinas on Natural Law: revealed law is an expression not of Natural Law but of Eternal Law; it is continuous with, not distinct from, that body of first and of derived principles formulated in the minds of all who have reason, and guarded by the church, as the Natural Law. We do not 'imagine' this body of principles to be Natural Law: it is Natural Law, and we know its principles by the disposition of synderesis which is infallible. It is discoverable through reason, and it is this rational participation in Eternal Law which allows us to talk of the Natural Law. We could not know the Natural Law more clearly than we know it when we grasp it by reason in the form of first principles: this is not imperfect knowledge but perfect human knowledge. It has authenticity; we can be utterly certain of it; its <sup>auth</sup>authority is equal to that of scripture. What is defective is not the natural law but our commitment to the Natural Law due to the influence of passion or other obstructions. Because of this, we have scripture. But scripture does not have greater authority than reason when it grasps the first principles of practical reasoning.

In the biblical tradition, that we must use reason to discover what to do, and that our passions are disordered, is explained by the conceit of the Fall. After the Fall we become human beings: creatures who are not only free, but have the full use of reason and full experience of the passions. The point of Natural Law theory is that through reason, our fallen nature, we are still offered a means of reconciliation through pursuit of the good. Now, however, it must be pursued, sought with effort and won. In these terms, we could describe Blackstone's mistake in limiting natural law as failing to see the difference between the imperfection of reason (qua fallen faculty) and the operation of reason in natural law theory. It is part of the theory that reason can give certain knowledge, even though reason, like all post-Fall categories, is imperfect.

This is as much of Blackstone's argument as I shall consider. The point of this has been to demonstrate ways in which the natural law tradition failed to appreciate the sort of synthesis Aquinas had started. There is, of course, a history of this failure still to be written from the philosophical point of view. I have dealt with a peripheral figure because by his time the differences between Natural Law tradition and the theory of Aquinas were profound. A serious history, however, could be written of the theories of Suarez, Grotius, Puffendorf, Hobbes and Locke. Their syntheses are really secular, despite their theological learning. They aim to produce theories of the state, the relations between states and between theories of law. In respect of their principles they are classed with Aquinas: they attempt to produce a philosophy based on a conception of human reason. However, he attempts not just a synthesis of all social and moral constructions through an objective account of reason, but a synthesis of all those first principles upon which different societies and individuals have built and explained their moral and intellectual systems, a synthesis of all the principles of reason themselves, and the understanding of this requires that we enter into the process of construction not only of our own or of Thomas Aquinas's first principles, but into the whole process of

dialectical enquiry in which all first principles are arrived at and then defended against the strongest rival alternatives. Blackstone is a good example of how far Natural Law had become a theory, not an intellectual activity. It is clear that for him Natural Law is a way of advancing his philosophical and legal theses. It is no longer the engagement in theoretical activity, but one sort of theory. Again, the history of the change from rationality seen as theory to theories of such and such which it is rational to hold if they are verified has still to be written. Aquinas has become elevated as an authority, a type of theory, and the one thing Aquinas would have desired - that we turn from rigid adherence to theories to open intellectual enquiry into the strongest challenges to the principles of our theories - has been sacrificed for the attraction of one more bundle of attractive explanatory theses in the shape of 'theory of Natural Law'.

The objects of Blackstone's synthesis are the received interpretation of classical natural law and the body of knowledge of civil and criminal law available to experts and laymen in eighteenth century England. His Commentaries have a practical use; they will be read as a manual. His theory, his 'natural law', becomes an Introduction to his text. The project of Aquinas's *Summa* needs no introduction. It is simply one stage within the process of creative theoretical construction which rationality is, and in which we ought all to be participating. Blackstone prefaces his work with the classical theory of Natural Law, believing, in common with many, that this is a way of providing a theoretical underpinning to the ideas and conclusions he will go on to produce. He does not recognise that if he is to write as a lawyer within the Natural Law tradition, his project must be the justification of the principles and presuppositions of the theory and practice of the law of England by those principles he has inherited through his intellectual tradition, and not the wholesale adoption of the received classical picture of Natural Law theory and the dropping of this into place as the theoretical preface to English law.

The Natural Law tradition ought to have taken up the challenge of Aquinas to engage in the non-completable project of theoretical enquiry into principles. Instead it developed as yet another theory of morality and rationality to play the role of explanatory principle in the chosen theories of philosophers and other intellectuals - and, of all things, an absolutist theory. By the time of Blackstone natural law has not died, but it has become petrified: neither abandoned by radical theoretical departures, nor transformed, but simply pulled along like dead wood as a justification of a codification of law.

#### John Finnis.

My final aim in this section is to consider a twentieth century work which again follows the natural law tradition. John Finnis's aim in Natural Law and Natural Rights (Oxford; 1980) is a statement of classical natural law theory developed so as to provide a way of understanding and solving the major problems of moral philosophy, politics, law and, broadly, 'our place' in the universe. He seeks to locate the basic goods of human life; to explain the value pertaining to human goods; and to discover those principles, explained by these values, behaviour in accordance with which is rational

pursuit of the values. That is, he constructs related theories of value and action. The complete statement of these two he conceives as a theory of rationality in terms of which we can solve moral, legal, political, indeed all, problems of relationships in which human beings are involved. The key terms of the theory of rationality will be reason, action, practice and the good, thus it is a theory within natural law tradition.

Again, we have here a synthesis which might appear to be well within the mode of Aquinas. Finnis takes present day beliefs from moral philosophy, jurisprudence, political theory and, briefly, theology, and argues that the 'theory' of natural law is compatible with these, and if properly articulated and developed, can be shown to answer the problems of explanation and justification which arise within these subjects. The version of natural law he defends possesses an explanatory potential far more sophisticated than Blackstone's, but again the 'synthesis' is actually the imposition of the principles and categories of what he understands as classical theory upon contemporary principles and concerns. His version of natural law is particularly indebted to the concepts and arguments of Aristotle, particularly the practical concepts. My point is not that the use of Aristotelian concepts in contemporary theory is somehow wrong, but that if their application is to be rational in the way of Aquinas they ought to be first made the object of rigorous theoretical enquiry together with other principles representing the strongest contemporary positions within moral philosophy, politics and jurisprudence. Finnis's method is first to construct a 'Natural Law theory' of rationality, consisting of theory of value and theory of action, and then to apply this to the major contemporary concepts and problems in the hope of providing rational explanations of these and justification of those solutions which he believes to be natural law ones.

This understanding of natural law is ultimately no more successful than Blackstone's. I will not make explicit contrasts between Finnis and Aquinas as I did with Blackstone. However, straightforward philosophical criticism of Finnis is not only intended to expose his weaknesses, but to demonstrate that to take an Aristotelian-Thomist position in theory of rationality is not loyalty to the sort of Natural Law envisioned by Aquinas, but the betrayal of that Natural Law, and perhaps ultimately its death. The 'elements' of natural law - the human good, the concept of action, the theory of reason, the scheme of the virtues - cannot be stripped from medieval communities to serve as the components of a context neutral and universal account of rationality. Theory of rationality cannot merely be constructed and used as explanatory tool of human life, for theory of rationality is the 'theory' that rationality is no more than the activity of theorising, and any tools which our theories provide are by-products of rationality, not rationality itself. We cannot construct theories of rationality to play explanatory roles, because what rationality is is the explaining which we do, whether in moral philosophy, law, theology, politics, physics, or whatever. Rationality is theoretical activity, and the answer to 'what (option) is rational?' is 'that which (current) theorising shows to be rationally justified'.

The core of Finnis's theory is that there are a number of forms of human good. The irreducible forms of human good are absolutely basic

values. They are knowledge, life, play, aesthetic experience, friendship, practical reasonableness, and 'religion'. In his extended treatment of the first of these (ch.3) he writes, 'Commonly one's interest in knowledge, in getting to the truth of the matter, is not bounded by the particular questions that first aroused one's desire to find out. So readily that one notices the transition only by an effort of reflection, it becomes clear that knowledge is a good thing to have (and not merely for its utility), without restriction to the subject-matters that up to now have aroused one's curiosity' (p.61).

So knowledge is good 'in itself', which is not to say it is worth having knowledge, or consequentially valuable, or supremely important, but only that if we are asked what we are doing, answering that we are pursuing knowledge makes our conduct intelligible. He claims that the recognition of a basic value such as knowledge is self-evident. This does not mean it is recognised outside the context of experience: in fact, it is only in experiencing the urge of, for example, curiosity carrying us beyond our particular concerns to related matters that we recognise the basicness of knowledge. When we express our understanding of such a value we provide potential starting points for reasoning, principles of practical reasoning, such as 'doing what will further inform us is good'. Such a principle of practical reasoning is not a rule directing behaviour, but an 'orientation' of practical reasoning which is specifiable in many more specific principles such as, for example, 'increasing one's information about contemporary moral philosophy is a good thing'. It thus directs our reasoning by opening up for it possibilities, limited only by our particular circumstances (expressed by factual premises in the reasoning), which are all ways of participating in the basic good of knowledge.

The practical principles, and the first principles of logic, are precisely that which is known without demonstration; they are presupposed in any practical activity. Their validity is based upon that of no other principles, and on no feeling or impression of certainty. They represent practically necessary ends. Finnis demonstrates this practical necessity of the principle concerning knowledge by showing any argument against its validity will be self-defeating. To seriously assert that knowledge is not a good is to commit oneself to the truth of this assertion and thus to the value of truth, precisely what, Finnis thinks, the assertion denies. Finnis cannot so extensively treat, or convincingly assert, the other basic values. There has after all been no time at which the claim that knowledge is an absolute good, a sufficient reason for any otherwise non-controversial activity, has been wholly controversial. However Finnis wants to claim that 'the urge to question' (p.65) is not the only basic urge. Anthropology and history show that all societies have placed some value upon human life, and some restrictions upon sexual activity; that they are concerned with leisure, friendship and so on. However many practices and institutions we look at we see respected a few quite basic human values. These are few, though their realisations are many and varied. They are basic forms of the good understood by the practical intelligence, and realised in particular cultural activities. We are required to ask of ourselves what are the basic forms of the good which we recognise and by which we make intelligible the conduct of others' and of



ourselves. Finnis, then, has no special licence to provide a list of basic values - he cannot prove them - but following his personal meditation affirms: life, corresponding to the urge towards self-preservation; knowledge; play, activity pursued for its own sake; aesthetic experience; friendship, on the Aristotelian model; practical reasonableness itself; and religion, experiences of extra-terrestrial order. There are no other goods which are not ways of pursuing these goods, individually or in combination, or conditions for their pursuit. Finnis says of the basic values that they are self-evident, that they cannot be reduced one to another, and that each, in reflection can be considered the most important. Expressions of understanding of these values are practical principles suggesting participation in the various goods through the initial activity of practical reasoning. These principles 'have been called in the western philosophical tradition the first principles of natural law, because they lay down for us the outlines of everything one could reasonably want to do, to have and to be' (p. 97).

This is the natural law theory of value re-asserted by Finnis in a form he supposes acceptable to, and already at work in, the correct explanations of the problems of, contemporary law, politics and morals. Significantly, it makes no appeal to God. The second stage of the theory of rationality before his application of it in these particular spheres is the theory of reasoning.

The values are all equally worth pursuing. They cannot, however, be pursued haphazardly by a rational person, for one of them is the value of practical reasonableness which we participate in just by ordering our participation in all seven basic values. It is when practical principles are applied to particular situations that the questions of ethics can begin to be asked, and how they are to be applied is the problem of theory of practical reasoning. Finnis's theory is a theory of underived methodological requirements for practical reasoning. If one is to be practically reasonable, there are certain requirements one must observe. Without these there is no focusing of one's urges and desires into that sort of structured unity which gives one one's own set of goals and personal values, encourages efficiency and effectiveness of personal resources, and which is the result of practical reasonableness and the mark of the rational man. These requirements, which are also basic, underived and irreducible, can be regarded as aspects of one another (p. 105). They are: a coherent plan of life; no arbitrary preferences among values or between persons; detachment from specific projects, yet commitment to them; effectiveness of methods; respect for every value in every act; favouring the common good; following conscience.

These requirements, Finnis believes, generate morality. Each is a 'mode of moral obligation or responsibility' (p. 126), for each plays its part in generating arguments of this form: a/requirements 1-9 are all aspects of the real basic good of freedom and reason; b/any of these requirements can be satisfied in such and such a situation only by or best by doing x; c/x should be done. So the language of morality consists in the concepts with which we express and understand the requirements of practical reasonableness, and these are the basic elements of his theory of practical reasoning. The real work of his text is to show the compatibility of this two-tiered theory of rationality (practical principles expressing basic

values; requirements of practical reasonableness by which practical principles generate action and morality) with contemporary deeply held beliefs so as to explain and answer the major questions of moral philosophy, politics, jurisprudence and, minimally, theology. In the chapters in which he discusses particular moral, legal and political concepts in terms of his theory of rationality Finnis's work is important. However, it does not follow from the fact that the theory allows him to make advances that the theory is correct. To judge a theory of rationality we are required not only to recognise that it usefully addresses contemporary problems, but to have assurance that the problems it demarcates are the problems, and that the solutions it proposes are correct solutions. Any theory of rationality does more than provide answers; it proposes a way of perceiving which presents certain features of our situation as 'the facts', and certain issues arising from these, therefore, as 'the problems'. The world does not present theory neutral parcels of facts which, given our needs and wishes, present problems for us. Rather conceptions of rationality and received moral categories determine both the facts we see, and, through the effect of these conceptions and categories on our needs and wishes, the problems these present for us (for a good discussion, see O. O'Neill, Faces of Hunger, London; 1986).

A successful theory, then, will not merely address in what may be a random or haphazard way a number of commonly perceived contemporary problems: it will establish itself within these perceptions as authoritative, thereby giving grounds for evaluating and, if necessary, rejecting, 'existing' problems and a basis for solving the problems which remain. The reason for its establishment as authoritative cannot make appeal to some more universal and neutral concept of rationality, otherwise this and not the candidate theory of rationality, would be the correct terms in which to explain and solve human problems. O'Neill believes the reasons for a theory's establishment include the conditions that it is not solely abstract, that it can apply to all relevant centres of agency, and that it can criticise particular centres of agency. I think this cannot be the criterion of a successful theory of rationality because it already includes the assumption that rationality concerns action, and must be accessible to and critical of centres of agency. These assumptions define the theory as within the Aristotelian/Kantian tradition of practical reason, and therefore do not preserve the free dialectic between contemporary beliefs and the firmest challenges to these from among any of their alternatives. Generally, the test for a successful theory of rationality or of anything else must be simply that it answers the needs of those who enquire or live by it, and that it explains and solves the problems all other theories and methods of reasoning do, together with explaining how they do this. This, on the Thomist model suggested above, is sufficient for theoretical success. It does not mean the successful theory must present only the view of facts and solutions of the current norms; but that if it is to surpass these, it must explain what they explain and explain why they explain it. On this account of what it is to be a successful theory a number of points can be made against Finnis's theory of rationality. First, there is the nature of basic values. He tells us a good deal about their properties, but I am not satisfied we are left

clear about their nature. Values are not parts of the world existing prior to human actions. They are realised in activity, and it is the activity, not the value, which is part of the world. Value is discovered in certain forms of experience, and this experience already is participation in the value. But if we can participate in basic values and these do not exist apart from the activities in which they are realised, why, then, are they not products of human creation? Why are they not subjective and personal rather than basic? They have no existence over and above the activities in which they are realised, so why say at all that they are 'participated in' rather than created; and why, then, think there are any determinate and universal values at all?

Finnis, of course, believes that these can be self-evidently recognised as irreducibly good for man. However, the only way in which he could show that there are basic objective values and that these are realised only in human activity is to show that certain activities and the objects of certain activities are goods for all human beings. By presenting a theory of human nature in which certain forms of activity - play, practical reasonableness, aesthetic experience and worship - and certain goals - life, knowledge and friendship - are aspects of any full and complete human life he could demonstrate that there are basic non-subjective values, and that they exist only in the engagement of humans in activities - for some are activities, and the others could be experienced only through human activity. Finnis has no theory of human nature. He lacks, and is happy to lack, the political context of Aristotle's values and the context of created nature of Thomas Aquinas. His appeal is rather to the self-evidence of values and to the intelligibility they confer upon all behaviour. There are problems enough with the epistemology of this, but the fundamental difficulty is that the idea of basic values which cannot exist in independence of particular forms of activity is an idea belonging to one particular tradition of theorising about human nature - theories which explain human nature as primarily active, and impelled through rational activity to pursue the good - and Finnis has no such theory to contribute. He simply drags along the Aristotelian/Thomist natural law tradition, as does Blackstone, with no attempt at synthesis of contemporary moral standards with their serious opponents. P/

There are also epistemological problems with his approach. He is concerned to construct his theory without appeal to God, and without involving moral obligation until the stage at which the practical requirements direct activity within the particular circumstances in which we find ourselves. To do this requires not suggesting a source of value, for, he believes, if we knew such a source, the values would cease to be truly basic, and instead we would have an obligation to the source of the values to respect the values, an obligation preceding our reasonable decision to pursue the values themselves. However, it does not seem to follow at all that there would be an obligation to the source of the values. Would there be an obligation to evolutionary development if this were shown to be the source of human values? What would it mean to have an obligation to God? Or, if values were shown to arise because of universal social and practical needs, how could we be obliged to respect values because of the political institutions and practices which are their source? The obligation would be owed not to the source of the values

but to the objects of the values. Even if in certain formulae there might be obligations to the source, our question must be why do we have these, and since the source is ultimate, the answer could only be 'because of the nature of the values it grounds' in which case the values are basic after all, and the source of the obligation.

In any case, Finnis dislikes the ontological spirit of such arguments, and turns instead to the self-evident. When we recall the ease with which the self-evident can be appealed to in order to justify sheer immorality our distrust of such appeals within moral philosophy must be strong. Finnis holds self-evidence is very much a matter of personal reflection, but he does attempt to direct us to a particular sort of self-evidence. It is not a matter of universal assent or of feelings of certainty, but a recognition that some things are basic: there are some reasons for acting which are in all circumstances sufficient ones, and which require no further justification. This is based on the principle that in practical or theoretical matters the truth of some proposition must be presupposed, either first principles of logic or basic practical principles.

Even if this is correct, it neither follows that the practical principles whose truth must be presupposed are those Finnis asserts, or that they must be based upon objective and basic values. Why not, for example, claim all action presupposes the practical principle 'that is not to be done which one could not wish all others similarly circumstanced to do' or 'satisfaction of personal preferences is to be pursued unless this conflicts with self-interest'? Finnis gives no reason why either of such principles might not be recognised as practically basic; principles which seem to have as good a claim to basicness as his, and which do not suggest the existence of objective values. His appeal to self-evidence is ultimately no more than a hard headed personal appeal for teleology. He is left with the simple argument that we ought to appeal to intuition and experience, and that when we do so not one of us will discover that there is any value which is not one of his seven basic goods, or that we can pursue a good which is not ultimately participation in one of the seven basic values.

I do not understand why we should appeal to self-evidence and not to reasoned argument concerning the nature of the human good and the structure of value. It seems clear that self-evidence is extremely unlikely to produce a list of principles concerning which there might be widespread agreement leading to interpersonal use. In this respect it is a weaker appeal than the Aristotelian appeal to the many and the wise, or the appeal by rhetoric. This line of criticism has, however, been pursued many times. It would be more useful to criticise his account of self-evidence through his reliance on the concept of the intelligibility of behaviour.

He holds we know something is a value if it makes behaviour intelligible. Now, we know something makes behaviour intelligible not necessarily when we know what the behaviour is, but simply when we know that it is behaviour - when we see it intelligibly - and when we know that this intelligibility is caused by this other thing (to know P makes behaviour y intelligible need not be to know what ((sort of)) behaviour y is, but only to recognise y as ((a species of)) behaviour and to know that we know this because of P). But if we know something is a value when it makes behaviour intelligible, and



to know something makes behaviour intelligible is simply to recognise that there is behaviour and to know that P provides us with this knowledge, then it seems we can never identify particular values. For so long as we know that there is something, P, which causes us to see certain movements as behaviour but we do not know what the description of that behaviour is, then we can only individuate P - say that P is a value, has value conferring properties - but not identify which value P is, say what are the properties P confers. If knowing something makes behaviour intelligible does not imply knowing what sort of behaviour this is, we have no way of knowing what value it is that is doing the work.

If knowledge of individual values does not follow from recognition of the behaviour upon which they confer intelligibility, it follows our knowledge of values, at least on Finnis's proposals, is a very uncertain matter. It becomes particularly difficult to know what is meant by self-evident knowledge of values which are involved in any intelligible behaviour. For if identifying values is always something more than just understanding certain behaviour as intelligible, then that there are certain values somehow at work in all intelligible behaviour is no help in discriminating which values are self-evident. That is, if recognising behaviour entails in no case knowing the intelligibility-conferring value, recognising behaviour, however many times, will never entail knowing what the basic values are. Finnis will then be forced outside his position of knowing values by their intelligibility-conferring power to an alternative account of traditional introspective certainty or universal assent in explaining the self-evidence of basic values.

I suggest that Finnis can only give his list of, admittedly plausible, basic values omitting, for example, pursuit of pleasure, because he already has, prior to his notion of these values, a concept of the good which allows him (philosophically) to state, and not (intuitively) to recognise, the irreducibility of certain values. This concept, Aristotelian/Thomist eudaimonia, is held by Finnis as an act of philosophical, perhaps even religious, faith. It is wrong to suggest that the basic values are self-evident to all human beings: they are the value components of the theory of the good to which he finds himself intellectually committed. His use of self-evidence fails because, once again, he has entered into wholesale adoption of the classical natural law notion of a plurality of goods in which we participate, and is holding this belief steadily, without regard to the sort of theoretical synthesis Aquinas proposed in the face of the intellectual sterility of self-evidence.

There is a further criticism to be made concerning Finnis's notion of reasoning. He accepts the complete practicality of theory of rational conduct, and contrasts this with purely theoretical subject matter, the subject of logic. Theory of practical rationality considers man as practically reasonable; logic considers truth, and judges the efforts of man to be reasonable in theoretical deduction. Reason functions in two ways, and in theory of practical rationality we can ignore its theoretical operation. This contrasts with the description of theory of rationality derived from Aquinas as not a theoretical enterprise concerning a practical subject or a purely formal logical study, but as itself constitutive of rationality. This does not mean that reason is 'solely' theoretical, but that reason, whether involved in matters of the

highest abstraction and logical purity or in the formation of principles of action, can only operate by means of construction of, and derivation from, theoretical standards, or principles. This account does not mean that there is no theory of practical reasoning within theories of rationality, but it does mean that different conceptions of rationality will award a greater or lesser role to reasoning, and that the soundness of the practical reasonings of the members of one community may not be intelligible to those outside that community. At the very most, as will be shown in chapter 7, a very general description of the characteristics of calculative reasoning may be given. What is definitely not possible is the sort of appeal Finnis makes to the Aristotelian practical syllogism in discussing both his practical principles and his requirements of practical reasonableness (p. 63; p. 126).

At these critical points in his argument Finnis invokes the practical syllogism to show how practical principles can serve as the starting points of reasoning, and how all of the practical requirements can play a part in reasonable decision making. Yet he never amounts a defence of the practical syllogism as the basic form of reasoning. He does say that the basic value of practical reasonableness corresponds to the urge to order our lives and actions effectively (p. 88), that this entails the practical requirements, and that these, rationally applied to our particular circumstances, will generate beliefs about moral obligations and responsibilities. But what is there causing us, or showing us it is reasonable, to apply these requirements 'in the rational way', that is, for Finnis, syllogistically (p. 126)? Finnis neither gives argument for this highly traditional way of understanding reasoning nor develops it beyond the very basic paradigm of Aristotle.

He believes the form of the syllogism allows us to formulate the want of the agent so that instead of a blind urge getting the desired object is seen as a way of participating in an intelligible good: it becomes a major premise. Channelling urges into pursuit of intelligible goods, then, is the role of the practical syllogism. It seems to me, however, that Finnis is then open to the criticism that it is not values after all which are important, but the values only in so far as they are efficient means of satisfying otherwise indistinct urges. This, we should note, is a problem which does not arise for Aquinas whose natural inclinations Finnis has in mind. It does not arise for him because his natural inclinations are never merely 'blind' urges but are 'written' into human nature in its context on the scala naturae, and so necessarily are linked to value. Once again, Finnis's account has all the disadvantages of simply adopting concepts without either adopting the theory of human nature which is their context or providing an alternative theory. Modern rationality theory, which frequently places such foundational emphasis on satisfaction as a value, really demands from Finnis an explanation of why basic value is found not in this, but in certain goods in which we participate as a reasonable expression of our basic urges and desires. This requires an explanation of why these urges are linked with goods, an explanation of just what basicness means, and this is the theory of human nature which he is lacking. The criticism of his treatment of the relation of basic goods to objects of desire in the syllogism, then, is that it does not show values cannot be regarded as controlled means of satisfying strong

individual urges or desires, which would then receive an importance in the theory which, in the absence of some sort of account of human nature, would disqualify it from the natural law tradition in which Finnis wishes to locate it.

The flaws in Finnis's argument, like those in Blackstone's, point to his proclaimed adherence to what he conceives of as a tradition, but which really consists in the ossification of certain principles of historical Natural Law. His accounts of community, justice, law, rights and authority are the finest part of his work. These learn from the tradition of Natural Law while not attempting to preserve it in a way which would make it impotent in the explanation and solution of contemporary problems.

The tradition which I have been criticising has bequeathed to us from the Aristotelian tradition of the thirteenth and fourteenth centuries those concepts of rationality and ethics which exercise and puzzle us in philosophy and in life. The concepts of reason, action, the good, the virtues and the practical/theoretical distinction understood very much as the medievals understood Aristotle to understand them form a great part of our theoretical repertoire for the explanation of human behaviour. Unlike MacIntyre in After Virtue (Duckworth; 1982), I do not think this legacy leaves us with the impossible choice of nihilism or a reconstructed theory of the virtues. I believe that the survival and use of these concepts is the best possible demonstration that in the pure contingency of social and conceptual change they have endured because they answer to the needs of those who use them, and because they are rationally defensible over many challengers so far. MacIntyre's belief that common concepts can be surviving fragments from another world picture and that intentional revolution will be required in order to rescue them by grounding them anew is wrong. If they are still being utilised, they already have their grounding context, they are part of our world picture; if they have ceased to be used, they will have been overthrown by the altering needs of the community and its changing theoretical standards, but we cannot stand outside these and write a book like MacIntyre's advocating their overthrow. The revolutionary text, by definition, is not spoken from within the community endoxa, and therefore on my account, and, I think, on MacIntyre's too, it is not a product of rationality.

Rationality is theory construction from particular norms, which can in turn revise those norms, but this revision is only by way of contest between current orthodoxy and alternative challenges. MacIntyre's skirmish is between the 'fragments of the virtues' and the challenge the modern world mounts to these, but the rational synthesis is between the explanatory norms of modernity, including the virtue concepts, and any feasible challenges to them. The battle is always, so to speak, joined from within the ranks; and this means that we are never called upon either to face the pessimism of Nietzsche or to raise ourselves heroically, as he claims Benedict and Trotsky did, above our communities.

What is particularly bad about the species of Natural Law theory which lifts the thoughts of, for example, Aquinas and puts them in modern dress is that it treats the problems modernity has raised for it as deviations. Things never progress; things merely escape from within the safe boundaries of Natural Law theory, people make errors. This violently irrational outlook must be resisted. We have

enough pseudo-problems without our real problems being denied. In particular, this outlook is anathema to Aquinas. He may speak of 'first' principles, but their primacy is simply the proof that the method of arriving at them is correct. It is his way of theorising - debate in accord with the standards of the community, and then debate between 'our' first principles, those of others, and other strong challengers to primacy - which provides a context in which objectively true answers can be given to particular questions without compromising their particularity. We must not confuse this account of rationality with the theories of rationality of any particular theorist within this understanding, including Thomas Aquinas, and we must resist any theories of rationality external to this understanding which deviate from it by claiming to offer explanations of human conduct in terms of principles which hold universally irrespective of the normative standards of the communities within which particular agents act.

We must also recognise that from within our culture, our community, the language required in order to be able to state this account of rationality is itself contingent and a product of current theoretical concerns: we cannot state this in revolutionary language. And for us, this language is often very much the language of the Aristotelian tradition. If what I have said is correct, rationality, theoretical activity, is not so much producing and writing theories as taking part in ongoing theoretical activity; we will be doing this, and our writings will show this. The account of rationality as theory, therefore, and paradoxically, can only be stated by me as the Aristotelian claim that rationality is practical as well as purely formal.

The greatest threat to this understanding of rationality is the rise of the concept of the individual self as rational and moral chooser. This movement from the standards of the community to the location of value within the autonomous and embodied person is what I must defend the Thomist position against before attempting a justification and moral defence of it. The two main positions to discuss are Kant and Kantianism, and what can be roughly called utilitarianism. Utilitarianism I will look at in a number of different versions and related alternatives as this is how those who hold the theory hold it at present. Kantian theories, however, agree to great extent in their principles and in their interpretative loyalty to Kant. For this reason I will consider Kant himself, and Kantian arguments only in relation to his own theory.



#### Chapter Four.

It is often assumed that Aristotle's and Aquinas's theories of ethics are distinguished by their commitment to a standard of rationality which has its roots in a conception of invariable (human) nature. I have suggested that this is not the correct way to read Aristotle's ethics and Aquinas's Summa. Actually, it is in post-Cartesian challenge to Natural Law and Aristotelian theories of rationality that a conception of absolute and invariable nature becomes a priority.

Cartesian rationality is a matter not of acting and living in accord with the best theoretically defensible standards, but of knowing. Descartes's concept of reason is one which is grounded in the powers of the mind to intuit by a certain sort of purified internal perception pieces of absolutely certain information. Rationality is the acquisition of the sort of knowledge which is given by clear and distinct perception (Principles, 1, 45; in ed. M. D. Wilson, The Essential Descartes). Because it is knowledge certified by reason itself, derived by the enquiring mind from its own structure, this knowledge has not only the property of truth, but also the property of ultimacy: it is prior to, and hence foundation of, all other knowledge the mind might possess.

Among the tasks which this conception of reason leaves Descartes's successors is the determination of the objects of this knowledge. Are they truly foundational, and if so, do they have an existence independent of the knowing subject; if they do, what is the form of this existence? However these questions are answered, the reality that is posited as the object of knowledge of the rational mind is distinguished by its foundational character. Whether the reality is God, the self, sensory experience, substances, monads or nature, it is something without which there is no rationality, and upon whose head the rest of rationality is raised. Much of modern theory of rationality, post-Kantian theory, is coloured by the same attempt to discover something more basic than the institutions of enquiry themselves; some object for the enquiring mind the possession of which constitutes knowledge, and entails the rest of rationality.

My claim in discussing Kant will be that his practical philosophy relies upon a foundational concept, a concept of the absolute and invariable, but that this constantly proves to be a hindrance to him. Kantian rationality relies upon the post-Cartesian stance of the individual clearing his mind of distractions (inclinations, passions), in order to achieve true and certain knowledge and objective determination of will, and it is concerned to discover the degree of independence of the object of knowledge and the ground of will from the knowing and willing subject. The moral theory which this search for the unconditioned results in is frustrated by its dependence upon this concept of invariable rational principle, or law, and the inability of the structure of the theory to support the concept. By criticising Kant's moral theory I mean both to indicate weaknesses in a strong alternative to the account of rationality as theoretical construction of community norms that I am proposing, and to provide a response to one of the two most sophisticated absolutist theories of practical reason: the

theory that the will can not only possess an object whose status is objective, but an object with the power to determine it objectively. This theory is a product of the 'rationality as knowledge' school both because of the conception of pure reason which precedes that of pure practical reason, and because it holds morality does not concern goods received or activities performed, but the very form of the will, the legislative nature of practical reason in moral willing. It requires a response because of its popularity, and because it is incompatible with my notion of an account of reason at a deeper level than particular theories of rationality.

#### Immanuel Kant.

The critical philosophy as a whole is an attempt to analyse the scope of reason, and to show in this analysis that reason is the ground of morality, and that this is compatible with science. Kant holds we can only know the world through perception which itself affects our knowledge (Immanuel Kant's Critique of Pure Reason, trans. N. Kemp Smith, Macmillan; 1982, A50/1). However, we do think of the world as it is beyond our experience (A49/1-7; Note to 'Preface to Second Edition' p. 34-5; Critique of Practical Reason, trans. L. W. Beck, New York; 1956, 42-3). Our perception of the world has a certain a priori form (space and time), but it also consists in a certain 'given' which leads us to postulate a world beyond our perceivings. We cannot know of this world, but, he believes, the unorganised data of experience - which we sometimes apprehend as unorganised - do come to us from it in perception, memory and imagination. This contribution ('the synthetic unity of the manifold of perceptions', C.P.R., A177) is made intelligible not by experience, which it makes possible, but by something which goes beyond experience. This something, Kant believes, is reason, and it is by constructing a critique of reason that the detail of the contribution of reason, and of the world beyond experience, to our experience is determined. This involves a 'transcendental deduction' in which we attempt to show the forms or categories by which reason makes the manifold of perceptions intelligible. This parallels an earlier transcendental deduction in which Kant demonstrated the forms under which alone sense perception is possible. The two deductions give a priori knowledge concerning the contributions of the knowing subject to sense experience, and of reason to the organising of this experience so as to make objective knowledge possible.

This knowledge of the a priori basis of experience is 'pure philosophy' (Groundwork, trans. H. J. Paton, The Moral Law, London; 1985, 388) which may be practical or theoretical. When not purely formal, it consists in the metaphysics of nature and of morals: the study of the principles which govern what is and what ought to be. These a priori principles are peculiar in being synthetic: they are not true simply in virtue of their terms; yet they are known independent of any experience. Their basis as outside experience and as making experience possible means that they have the status of law, necessary principles, if there is to be experience at all. Metaphysics of morals is the search for what fundamental synthetic a priori laws there are concerning what ought to be. The

search for the moral law depends upon a critique of reason demonstrating the intelligibility of the contribution the world beyond experience makes to our moral experience. That is, discovery of the moral law is preceded by a critique of practical reason, in which it is explained just what the contribution of the world beyond sense experience is to our knowledge of what ought to be done, and how it is possible for reason to determine the will in accordance with this. Before beginning to trace Kant's answer to the question of how reason can be practical, we have to consider the relation of the theoretical to the practical philosophy, the relation of the metaphysics of nature to the metaphysics of morals. In particular, we must consider the place of the Ideas of reason in the framework, for it is because of these that Kant can give the primacy of reason to the practical, and so turn on its head much of the Cartesian, and the Natural Law traditions which understand rationality to concern the theoretical primarily.

The Critique of Pure Reason and The Critique of Practical Reason are not intended to be read as two treatises on quite separate operations of the rational mind after the pattern of Aristotle's theoretical and practical reasoning. To understand the moral philosophy it is necessary to understand at least this much of the critical enterprise: that the theoretical reason is restricted because of its dependence on sensory experience for knowledge (Groundwork 452: 'understanding cannot produce by its own activity any concepts other than those whose sole service is to bring sensuous ideas under rules and so to unite them in one consciousness: without this employment of sensibility it would think nothing at all.'), and because of its ultimate dependence upon Ideas which lack theoretical content totally. These restrictions upon knowledge are to be contrasted with the condition of the will which is made practical by pure reason. The moral will is characterised by autonomy, the property by which the agent legislates for himself in favour of the moral objective. By contrast with the positive property of autonomy, the knowing intellect is restricted to how the world is, how the individual's senses are functioning, and depends upon the non-theoretical Ideas of reason. The Ideas of reason are not part of knowledge, for their objects are not known in experience (A311). But if our knowledge is to increase, we must make use of these Ideas as devices or 'regulative principles'. The first of these Ideas is that of freedom. If we are to conceive of ourselves as theoretically rational, as beings in pursuit of knowledge, we must assume we are free (Gr. 448). We cannot, however, know we are free, for we cannot know freedom (Gr. 458/9) since to know something is to explain it, to put it under laws of nature, and this would be putting under laws of nature, what we can only understand in terms of absence of laws of nature. So, we assume freedom so far as we believe ourselves to be theoretically rational. Freedom is not self-contradictory, and it is not impossible by the standards of theoretical reason (C.Pr.R. 3-4), but it is not discoverable in experience. It does not conform to the laws of nature, and therefore, it has no content for speculative knowledge; it cannot be known. Thus, if we are to acquire knowledge, we must assume we are free from causal necessitation though this freedom itself cannot be known. Kant elsewhere shows that theoretical reason also

requires the Ideas of the soul (C.P.R.A341-4; C.Pr.R.122-4), God (C.Pr.R.124-6) and also of the world in general, or teleology (C.P.R.A684; Gr.436n; C.P.R.A651-2).

Theoretical reason may have been unseated from its Socratic stronghold by being obliged to assume what it cannot know, but when we turn to practical reason the theoretically empty Ideas are given a new life and content, and consequently give to practical reason a new authority. It is the facts of moral consciousness in Groundwork which allow us to come to understanding of the moral law, the law which governs reason made practical; but this law, we will discover, is simply the principle of autonomy, the law of freedom. Thus, freedom is demonstrated. Similarly, if human beings could not expect eternal existence and could not assume the existence of God, the Final End of rational beings could not be realised and so could not be striven for (C.Pr.R.122-134), and the moral life would then no longer be a real possibility. Once we assume the facts of the moral consciousness, the demonstration of the Ideas follows. The postulates or Ideas 'which the speculative reason only exhibited as problems which it could not solve' now 'justify it in holding to concepts even the possibility of which it could not otherwise venture to affirm' (C.Pr.R.132) due to their practical necessity. Because they are practically necessary, the problematic Ideas of theoretical reason become properly justified concepts. Further, they are united a priori in 'a practical concept of the highest good.' (133), our Final End, which practical reason must assume as its necessary object (134). This again justifies theoretical reason in affirming them, though it still has no knowledge whatsoever concerning them. They are no longer theoretically empty, though their use is strictly practical. These remarks on the relation of the theoretical to the practical reason in Kant must be borne in mind because in criticising what might be called his 'absolutism', his reliance on the foundation of rational conduct upon something absolute and universal, I intend also to criticise Kant's concept of theory and of the unity of theory and practice. I hope it will appear that my notion of theory, which does not distinguish between (speculative) knowledge and (practical) determination of will, is preferable. If, as I will argue, Kant's practical rationality is unacceptable because of reliance on concepts which he cannot permit himself, it follows that the theoretical reason which depends upon concepts only justified by this practical reason is undermined. This then allows the possibility of reinforcing the claims of my concept of theory as a sort of intellectual activity the limits and the character of which are unrestricted except by the explanatory norms of particular communities.

#### Pure Practical Reason.

The question addressed in C.Pr.R. is 'can pure reason itself determine the will, or does reason determine the will only in circumstances in which the will is also empirically influenced?' Pure reason consists in those rules or concepts which are a priori, that is, not at all based on experience. The question whether pure reason can be practical is, then, the question of whether the will can be determined to action solely by rules and concepts which are not derived from experience. Such rules and concepts, which do



not differ from individual to individual and which do not vary with the different experiences of individuals, exhibit the absolute and invariable character which I spoke of as grounding the Kantian conception of rationality. The differences here between pure practical reason and Thomistic and Aristotelian practical reason are obvious. Aristotelian practical reasoning, in particular, which relies on experience, desires, deliberation, means/end reasoning, perception and judgement, has to be contrasted with the a priori character of pure reason.

There is a difficulty in understanding this. Kant insists that purely rational, non-empirical, determination of the will is possible. He must, therefore, either rely on our ordinary moral consciousness to prove his point, or he must provide a transcendental argument: if no story drawn from our experience can explain the possibility of full (moral) practical rationality, the only alternatives are to demonstrate its existence in ordinary moral consciousness, or to prove its possibility by showing it is required by something else whose existence we must accept. These are the two separate paths Kant follows in Groundwork and C.Pr.R.. What we must appreciate is that for Kant, consulting ordinary moral consciousness is a different matter from the sort of consulting Aristotle has in mind when he appeals to the variety of individual experience and the necessary feature of personal judgement which must both be recognised in practical reasoning. Such consultation, for Kant, would be introduction of empirical data. We discover the form of Kantian 'ordinary consciousness' when we remember that for him, the sort of elements which make up individual experience for an Aristotelian are elements of practical reason in which the will is not solely determined by reason: they are elements belonging to practical reasoning which is not moral, but merely prudential or technical; and that 'ordinary moral consciousness' excludes such elements, being simply the direct effect upon consciousness of the determination of the will by law.

Kant holds that we can subtract all the stuff of individual experience, the merely prudential, and still retain a common experience of 'moral consciousness' in which we will discover the operation of pure reason within our individual lives. We will only be able to comprehend his demonstration of pure practical reason from ordinary consciousness if we have first made this distinction between moral and prudential reason. If we have not, we will be unable to perform the subtraction which leaves behind the area of consciousness in which the purely rational determination of the will becomes apparent. If we cannot observe the mind except through its frame of 'everyday' experiences, we will be unable to see that aspect of it in which pure practical reason is not only a possibility for us, but a fact of our lives.

The distinction between prudential and moral reasoning is made more of by Kant than by any previous philosopher. Our welfare and happiness as finite and embodied beings depends on the satisfaction of needs and desires. Much of our action, naturally, is directed towards this satisfaction, and so towards our happiness. Such actions, and the reasoning preceding them would be taken by many to be paradigmatic of morality. However, according to Kant, such action, even when directed to the happiness or welfare of others, is not moral if this is what determines it. It is not moral because the

will is being determined not by pure reason but by experience: experience of what will produce happiness and satisfaction (C.Pr.R. 58), and experience of how best to get it (Gr. 415). However desirable, this empirical conditioning of the will is non-moral.

To begin to understand why nothing empirical must enter into the determination of the will in moral action, although in speculative reason there can be no knowledge except what comes from experience, we must construct a fairly large part of the argument of Kant's moral philosophy. We will discover that the notion of purely rational determination follows from the nature of moral worth, and that this is settled by appeal to the facts of moral consciousness. We will also discover that the contrast with prudence is basic to Kant's theory because of his belief in the notion of the agent's interest in the ends of all his actions which requires him to distinguish the taking of a sensuous, or prudent, interest in action from the sort of interest we take in the ends of moral action (see Gr. 413n). I will argue that the attempt to combine the inherited picture of action as behaviour directed to the attainment of a end in which we have an interest with the new notion of acting from (non-sensuous) interest in the ends of reason is finally incoherent. The moral determination of will described in Groundwork is incompatible with the psychology of action presented in C.Pr.R. and Metaphysic of Morals. The concept of a non-empirical interest in the end of an action to which we are motivated by the a priori claims of reason alone is a false one.

#### The Argument of Groundwork Chapter 1.

The argument of C.Pr.R. moves from the Principle of Morality to showing how this accounts for the experiences of the moral life, and eventually to showing how this reconciles theoretical with practical reason. In the Gr. Kant argues from the facts of consciousness of what he takes to be ordinary moral experience to the principles, in particular, the Supreme Principle, of morality, which must, he says, hold if such experience is to be veridical and not illusory.

A good will, in chapter 1 of Gr., is the only thing unqualifiedly good. This is so because its goodness consists not in what it wills, but in the form of willing it exercises. Its goodness consists not in intending or achieving, truly good, ends, but in its acts of willing. These acts are determined directly by reason. But if reason affects the good will not by setting a certain class of ends for it or by assisting it in achieving its ends, what exactly does it do in becoming practical? This notion of goodness requires the concept of duty.

The motive of duty represents motivation apart from inclination, motivation to do so-and-so because of the principle or maxim on which it is to be done and for no other reason. Actions done from this motive have moral worth.

'An action done from duty has its moral worth, not in the purpose to be attained by it, but in the maxim according with which it is decided upon; it depends, therefore, not on the realisation of the object of the action, but solely on the principle of volition in accordance with which, irrespective of all objects of the faculty of desire, the action has been performed' (Gr. 399-400).

So moral worth is found only in the doing of an action which is my duty; a good will is one which acts on the motive of duty; and (Gr. 396) reason produces wills which are good in this sense. It does this by both revealing our duty to us, and prompting us toward this. The second of these tasks concerns the way in which we take a non-sensuous interest in moral action. The first must be understood with reference to the concept of principle or maxim. Kant believes that all action is purposive (Gr. 427), directed towards an end or 'object' (C.Pr.R. 34), and that in all action we have an 'interest' in these ends (Gr. 459n). Practical reason sets goals, contributes in various ways to our interest in them, and formulates means of achieving them. It does so by producing a special sort of principle; a principle of will. These 'subjective principles of volition' or maxims (Gr. 420n) are a very peculiar form of principle, a 'practical principle', which has become popular again in recent moral philosophy. The point about those maxims which pure reason produces is that these reveal to will its duty, and so the source of its moral worth. Because of this, we can say something about the nature of maxims in general. They are not only the basis or cause of action, but also, since only when a certain class of them is acted on does a will possess moral worth, the grounds of evaluation of the practical life of a willing being. Maxims, then, are both the efficient causes of action, and the determinants of the moral quality of human conduct. This combination of something which both causes action and is criterion of the quality of action, that is, something which serves not only as a cause of action but as a reason, a justification, is best characterised as an intention. Intentions are the causes of actions, and it is by evaluating intentions that we most usually judge an agent's behaviour. Maxims, then, can be thought of as intentions; the mentalist counterpart of what in chapter 2 I called activities. This is also the opinion of Onora O'Neill ('Kant: After Virtue', Inquiry 85; Faces of Hunger, London; 1986, ch. 6) who describes maxims as the fundamental purposes or 'dispositional intentions' of a person: those purposes she will assert as her own, and, generally, act on. Maxims are described (Gr. 420n) as subjective principles of action, and contrasted with objective principles which are 'valid for every rational being.' Subjective principles are empirically determined, ultimately to do with self-interest. Objective principles can be thought of as the subjective principles which all would form if they had control over their inclinations (Gr. 401n). They are, then, the sort of principles in which reason itself reveals to us our duty. As control over human inclination is not universal, objective principles appear as imperative commands of reason. These imperatives, hypothetical when the commanded action is good because of some purpose or inclination, are categorical when the action is 'objectively necessary in itself' (414), required by an objective principle. The command of reason in a hypothetical imperative is not a command to act from duty because dutiful action is not action which is good in the light of a certain purpose, but action whose quality is derived wholly from its maxim (399). Categorical imperatives, however, are valid for all rational beings in virtue not of any subjective purposes or wants, but of their rationality. They command that our maxims be such that all

might hold them as principles of action if their rationality were not distorted by inclination. This necessity means that objective practical principles are practical laws (420). (Law is defined at 420n as 'an objective principle valid for every rational being.') So there is a law to the effect that we ought to make our fundamental intentions such that they concern not actions which suit our purposes or inclinations, but actions which might be chosen by all if they could choose apart from the influence of inclination. It is in determining the will by those maxims the agent adopts because they might be held by any rational agent (objective principles) that practical reason reveals our duty. This is the duty that reason urges a good will to follow. In determining the will by this class of maxims reason asks it to operate in accordance with those ends that are objectively necessary for rational beings. This sort of command or imperative can be described as a law because of its objectivity. To act from duty is, then, to act upon that law valid for all rational beings. Acting from the motive of law alone has moral worth.

This is the outline of chapter 1, 'Ordinary Rational Knowledge', of Groundwork. There follows the passage to 'Metaphysics of Morals' in which the synthetic a priori moral law is formulated and explained, and the 'Critique of Pure Practical Reason' in which Kant reveals how the moral law is possible. To this point we have founded the categorical imperative and indicated the way in which pure reason can be practical. My criticisms of Kant are going to revolve around the concept of interest and the doctrine of freedom. They depend, therefore, on those parts of C.Pr.R. and Gr. in which the motivational role and the possibility of pure practical reason are discussed. I will show first that the basic account of pure practical reason given so far depends upon the plausibility of Kant's concept of interest, but that this concept is inadequate. I will then discuss the doctrine of freedom, and conclude that it cannot be invoked to compensate for the inadequacies of Kantian interest. I will suggest that Kant could save the basic account of the categorical imperative only by placing his faith in his own Doctrine of Virtue, the 'natural law theory' of Kant. As part of his concern, however, is to demonstrate the failings of natural law, Kant could only, I claim, appeal to D.V. by accepting an alternative normative assumption concerning human dignity. I finally consider modern attempts to defend Kant's own conception of rationality. The failure of these implies the failure of Kant to explain rationality by use of a concept of the invariable and absolute he cannot permit himself to have.

#### The Argument of C.Pr.R.

In C.Pr.R. Kant begins by describing practical principles as those containing 'a general determination of the will, having under it several practical rules' (19). Principles which presuppose objects of desire are empirical. They can provide subjective determination of the will, but not the objective determination of law. All empirically determined principles belong to the general principle of self-love or happiness. 'To be happy is necessarily the desire of every rational but finite being, and thus it is an unavoidable determinant of its faculty of desire' (25). We are beings with needs. These are related to pleasure and displeasure, and, as these



are known only empirically, the requirement that we pursue happiness is not a law. Thus any principles based on our finite and needy nature, for Kant, our faculty of desire, are empirical and so do not qualify as objective principles, principles valid for all rational beings in virtue of their rationality. This is because 'if a rational being can think of its maxims as practical universal laws, he can do so only by considering them as principles which contain the determining grounds of the will because of their form and not because of their matter' (Theorem 3, 27). It is 'the mere form of giving universal law', in abstraction from all material factors, all objects of desire, which must be the determining ground of the will in all practical legislation. What the agent must ask himself, then, is whether any of his practical principles could serve as universal laws; whether he possesses a principle by which the will is determined not by its object but by the mere form of law itself.

The answer is that determination by the mere form of legislation is possible only for one who accepts the principle 'so act that the maxim of your will could always hold at the same time as a principle establishing universal law' (31). This takes us to the point at which we left Gr. It is necessary in C.Pr.R. for Kant to now make the transition from this principle to the facts of moral experience. The analytic method of C.Pr.R. achieves this by the concept of autonomy. In Gr. this comes last following the fundamental law derived from moral experience. In C.Pr.R. it follows the statement of the law, as the explanation of what makes the law possible, and so precedes the analysis of moral experience.

C.Pr.R., Problem 1 (29): what is the character of will which can be determined by the mere form of law? As form is not an object of the senses, it cannot determine natural events in accordance with the law of causality. The will which it determines is, then, free of causality. The determination of free will by pure reason, which is determination by the form of law itself, is the adoption by the agent of a practical principle to the effect that action is to be in accord with the bare form of legislation itself. This pure and formal principle is the fundamental moral one, the basic objective practical principle. It can, therefore, be construed as a law to the effect that the form of universal law-giving alone ought to determine the will. If the moral law is the law that no law, but only the form of legislation, ought to determine the will, then the moral law is the law of freedom from all determination of will by sources external to the will itself. It is, therefore, the law of freedom, or the law governing the free will. Kant's name for the form of internal self-legislation commanded by the law of freedom is autonomy.

At Theorem 4 (33) autonomy of will, independence from all material aspects of law-giving, is described as the sole source of all moral laws and duties. Autonomy is understood both as freedom, and as the legislation of pure practical reason in the autonomous determination of will. Thus it binds within itself the command of the law of freedom that we determine our actions by no law but the form of law, and the consequence of this that in moral action the initiating principle is one the will gives to itself and does not take from any other source. The concept of autonomy, then, links what the moral law commands to what one governed by that law does. In

other words, it carries us straight from awareness of the Categorical Imperative to the experience of one governed by it, to the facts of the moral life.

Kant turns to the facts of the moral life in Chapter Three which is headed 'The Incentives of Pure Practical Reason'. 'Incentive' is explained at 72: 'a subjective determining ground of a will whose reason does not by its nature necessarily conform to the objective law.' The problem of pure practical reason can therefore also be understood as the problem of how the moral law can be an incentive, for of all finite beings it can be asserted that their reason does not necessarily conform to objective law. Kant also introduces the concept of an interest: 'it indicates an incentive of the will so far as it is presented by reason' (80). As the objective determining ground of a good will is the moral law itself, moral interest, the subjective determining ground of a good will, must be a pure interest of practical reason. The concept of maxim depends on that of interest, therefore a moral maxim rests upon an interest in law as such. An action in whose subjective determination there is no inclination but only the interest in law is a moral one, one which forms part of our duty. The exclusion of inclination from human beings leads to constraint, and the consciousness of this is displeasure, felt in proportion to the constraint. As the agent exercises constraint through reason, it also leads to feelings of self-approbation, but even these admirable practical feelings are not allowed by Kant to enter the determination of a moral action. Determination is objectively by reason itself through the moral law, and subjectively through the moral interest which is now described as respect (76) for the moral law.

At 87 Kant asks for the source of this duty in which we have an interest independent of all inclination, for 'something which elevates man above himself as a part of the world of sense, something which connects him with an order of things which only the understanding can think.' The answer is freedom, independence from nature. We belong to two worlds (88), and we, naturally, see ourselves as belonging to the higher one, and hold our membership of it in great reverence. Because of this we understand that 'Man is certainly unholy enough, but humanity in his person must be holy to him' (88). Because of this understanding, we believe that rational creatures alone in creation cannot be seen as objects. Our autonomy over nature means we cannot be used merely as parts of nature. The fundamental moral law thus leads through the consciousness of everyday moral experience to the understanding of rational beings, or persons, as ends in themselves: they do not merely follow the ends of nature but set ends, and therefore are themselves ends of absolute value.

To understand this is to understand that autonomous beings, beings whose wills can be objectively determined purely by law, and who are capable of morality only because of their freedom from nature, are themselves the grounds of that respect for law which is the subjective determinant of the moral will. That is, as the freedom of a rational being is the source of her duty, freedom, autonomy, is itself to be revered by rational beings, as also the ground of their interest in the law, for if freedom is the source of objective law, it is also the source of our interest in law which is merely

the subjective flip-side of objective determination. If persons are the grounds of the interest which is subjective determination by law, then respect for persons forms a subjective principle of determination. As this subjective principle is given by reason itself, and so determines the wills of all rational beings, it can be expressed as a law, or objective principle - one valid for all rational beings - to the effect that persons are to be treated not merely as means, but always as ends. It is, therefore, a second formulation of the fundamental objective law: 'Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end' (Gr. 429). This formulation ultimately leads to the particular examples of duties - objective ends necessarily pursued by rational beings - examined in D.V..

#### Motives and Interests.

The derivation of the Formula of Ends as moral law is best seen in Groundwork (427-9). I believe that this formula and the Formula of the Kingdom (433) are necessary to Kant because he wished to pay attention both to the moral worth of dutiful action and the teleology of action as directed towards an object of our interest. My argument will be that Kant's reluctance to sacrifice the purity of the motive of duty does not allow him to give an explanation of interest and that this breaks the back of his theory.

We cannot overrate the importance of the empirical for Kant. The work of rationality is the adopting of ends, and every piece of willing, prudential or moral, is directed towards the achievement of an end (Gr. 437) in which we have an interest. The holding of ends is connected (Gr. 412) with following a law. Rational nature follows ends by internalising the idea of law and deriving actions from this. Rational willing does not bypass human interests for something called 'rational interests' in determining itself by pure reason, but brings human interests into line with rationality by adopting maxims which conform to universal law. Kantian rationality is not a strict, legalistic deontology, for all action, moral and prudential, is a striving to realise ends in which we have an interest. The will must always be determined by a subjective ground or end (Gr. 427; C.Pr.R. 34). Pure practical reason is only possible because we have an interest in the object of our willing (Gr. 460n; C.Pr.R. 61, 'good' is an object of the faculty of desire of reasonable men). There is no Kantian doctrine that dutiful motivation is consequent upon a purely intellectual apprehension of moral truth. Moral action is simply a particular sort of action: one directed towards an end which all might hold, an end which is a suitable candidate for adoption as universal law. However, it is of the essence of Kant's theory of moral worth that an action is done upon a motive which does not include inclination as a factor. There is, therefore, a difficulty concerning interests in moral actions, and how they can be non-inclinalational. Also, an action which has moral worth is done not because it is 'good solely as a means to something else' but because it is 'good in itself' (Gr. 414). There is, therefore, also a problem concerning the ends of moral actions, and how they may be subjective determinants of action but not determinants of moral worth. In prudential or technical

reasoning dutiful motivation and subjective interests in ends are well apart. In moral reasoning, however, they must come together in a coherent account of moral willing, if Kant's conception of pure practical reason is correct.

Given that we must have some sort of interest in moral motivation, certain basic remarks can be made about the relation between motives and interests. We should note first that Kant believes an explanation of how the idea of the law, which is not an object of experience, can cause an effect found in experience, how it can interest us, is impossible because inconceivable. Reason, however, must have 'a power of infusing a feeling of pleasure or satisfaction in the fulfilment of duty' (Gr. 460) if it is to be practical. This feeling is not the reason the law is valid: it does not explain our interest in law, rather, the law interests us 'for it is valid for us as men in virtue of having sprung from our will as intelligence and so from our proper self' (Gr. 461). An explanation of this interest is, however, 'wholly impossible', for it is the result of 'a special kind of causality' (460) in which the cause does not exist within experience, and so it is inconceivable. This does not worry Kant because at this point of Groundwork he has, of course, already shown the validity of the categorical imperative, that pure reason does determine the will. If the categorical imperative has been demonstrated from the notion of the intelligible world, non-empirical moral determination of will is possible, and the question of how, though fascinating, is irrelevant to the demonstrated truth that it is.

However, I have not yet granted the truth of Kant's theory of noumenal existence grounding the possibility of autonomy upon which the proof of the categorical imperative rests. I have not done so precisely because I believe his concept of freedom is dislocated if the theory of the good will is incompatible with the general philosophy of action. It literally has no place in explaining the reconciliation of the moral with the conditioned empirical world if these two worlds can be shown to be irreconcilable. As I do not grant Kantian autonomy for this reason, it remains a concern to me that interest in the ends of moral action be explained if any sort of pure practical reason is to be possible. I am, furthermore, not about to accept Kant's claim that explanation is impossible here because the cause of this interest is outside the world of experience, because that there is such an intelligible world and that the moral law is part of it is precisely what I am not prepared to grant. My next concern, then, is to expose Kant's failure to produce a concept of interest which could account for motivation of agents by the objective moral law. Exposing this failure will throw doubt on Kant's suggestion that this cannot be explained because the explanation is in principle impossible, and later criticism of Kant's doctrine of freedom will give firm grounds for rejecting the concept of autonomy and with it the suggestion that moral interest cannot be explained because its object is outside the conditioned (heteronomous) world of experience.

Theories of morality generally contain one of two types of account of motives. We can describe these as desire-based and non desire-based accounts. Accounts of moral interest, attempts to answer the question 'why be moral?', may also be divided into two



categories: desire-based accounts, and accounts based on some conception of the good. Deontologists tend to postpone as secondary considerations of interest until the primary matter of possessing the correct motivation is determined: the question of orientation towards the right precedes the nature of the good which explains our interest in this. Kant does not fit in to this deontological mould for he wishes to preserve an account of interest - one based on a conception of the good - with his account of the moral motive - a non desire-based account - and to give priority to neither one. This causes the great strain in the practical philosophy between the critical works and the metaphysic of morals; between objective principle and incentive; the Formula of Universal Law and those of Ends and the Kingdom. I want to focus upon this tension: in order to be weak enough to be compatible with the doctrine of moral worth our interest must be insufficiently strong to engage finite, sensuous beings.

Interests motivate as well as motives. They do so, however, in different ways. Motives give to the will principles of action, accessible to agents as general or long-term intentions, and also make efficacious upon the will principles to which we would otherwise simply do lip-service (for example, moral principles). They do not determine the will to action itself: we may shirk or postpone action we have a motive for doing. Action requires the formation of specific intentions explained by a/ more general intentions, which are either given by motives (self-motivated) or supported by motives, and b/ the circumstances in which we find ourselves. Some of these circumstances will, of course, be sufficient to generate new motives themselves - to motivate us towards new or altered principles of action. Some moralists explain the mechanism by which the will is motivated as the formation of desires, others as the formation of principles without the intervention of sensuous elements (the former tend to talk of 'motives' as an extra piece of explanatory baggage; the latter talk simply of the 'motivation' of the will towards forming intentions to do that which we have a reason to do). Intuitionists, some Kantians and certain moral sense theorists hold the latter, while most utilitarians would hold some version of the former.

Interests too can be said to motivate, for they are the reasons for possessing motives (as well as reasons for our motives in the sense of causes, they are, of course, also reasons for possessing motives we have not yet formed). They can be explained either as basic desires or as conceptions of the good (things like the stoic impulse to self-preservation, the Hobbesian Natural Law that peace is to be achieved, the utilitarian repulsion at the anticipation of pain, the principles known through synderesis according to Cicero, Aquinas, Albert the Great, Bonaventura and others). Thus one might believe that there are certain very basic, 'given' desires of a human being which explain, and 'suggest', his motives and so the principles he adopts (which motivation in turn may be either explained as forming desires, or as quite non-sensuous determination of will towards principles), or one might believe that there are certain facts about a human being which constitute his good, his 'ideal' or his true 'life-plan', and that these explain and suggest his motives and consequent principles (this vision may be of the type philosophers have tried to attribute universally, or it may be

the personal and idiosyncratic vision of an individual). Interests motivate in so far as they cause the motivation which leads us to act, or give us reasons to motivate ourselves.

Now there is no reason why someone who holds, as Kant does, that action with moral worth is done from motives that are non desire-based cannot accept an account of interest explaining these motives. That is, if it is held that moral action is action not done for anything else but done because it is good in itself, it may still be held that our motivation to do this particular thing because it is good in itself, or our motivation to do the good in itself in general, is explained by our interests - either our fundamental desires or conception of the good. Charles Larmore, (Patterns of Moral Complexity, Cambridge; 1987, ch. 4) speculates that it does not follow from the fact that morality has an 'empirically unconditioned scope' that we 'must have an empirically unconditioned motivational basis for heeding its demands' (p. 84). Larmore's concern is to emphasise the role of individual judgement, experience and character formation in morality. My point is that the 'unconditioned scope' of moral motivation does not preclude an explanation of motivation in terms of a pre-moral level of interest constituted by (empirical) desire or a conception of the good in which doing what is good-in-itself plays a (the?) vital part.

Kant, however, does not produce such an account of interests. We would expect him to provide an account based not upon desire (which would introduce heteronomy), but upon a conception of the good; and the materials of this conception are substantially contained in the heavily traditional pattern of duties he sets out in D.V., and in the much more particularistic Metaphysic of Morals in general. Kant does not produce this account because he has a much more famous doctrine in the wings to account for moral motivation, the practicality of pure reason: the doctrine of freedom.

#### C.Pr.R. on Interest.

I will be giving reasons for rejecting Kantian freedom. First, I will look at the Critique's discussion of the concept of interest. This seems to support the claim in Groundwork (459-60) that no explanation of moral interest is possible. Unfortunately, though he cannot explain it, Kant makes great use of this idea. It is quite clear that at the basis of the theory of rational action is a theory of action as behaviour directed to the satisfaction of some aim which has registered itself either initially or upon reflection as a wish or need, what L. W. Beck (A Commentary on Kant's Critique of Practical Reason, Chicago; 1960, p. 34) calls an 'impulse'. Then in the case of minimally rational action, the agent 'takes an interest' in the object of this impulse. This does not mean that what is already subjectively felt is felt by the agent in a more intense or more personal subjective way, but that the demands and implications of prospective action are filtered through the agent's intelligence in such a way that whether he ultimately opts for this action or not, the internal impulsion towards it has registered as some sort of a good. In Beck's words, 'intelligent action is action whose motive is an interest guided by appropriate conception and not a blind and naked impulse' (p. 35).

In moral action this interest must be retained in some form if we are to take action upon the motive of law itself - act upon purely dutiful motivation - for finite and sensuous beings cannot pursue the law except on the basis of a basic internal tendency, however much overlaid with intellection, towards its object. But there seems to be no mechanism within the system for explaining how the formal law can motivate the sensuous being at the level of impulse to its object. The obvious explanation would be that obedience to the law is desirable given some inevitable component of all human conceptions of the good, and therefore it is an object of inclination. However, the basis of moral motivation on possession of a precedent interest is viewed as 'heteronomy', the subjection and contamination of formal law by the empirical realm of cause and effect, this being the reason why no explanation of moral interest can be advanced. It is not at all clear to me, given the distinction between them, why Kant should insist that moral motivation and interest of a conception-of-the-good sort are not compatible. However, he insists there can be no such external influence in truly moral motivation, and is forced back onto two tactics to deal with this potentially lethal problem. First, he attempts to show the compatibility of the teleology of human action with the pure determination of will of a rational being: he constructs the doctrine of freedom. This allows rational human beings to straddle the categories of the unconditioned and the empirical, for they are free in so far as they are rational, and may be simultaneously rational and subject to the conditions of embodiment. Second, he includes, in 'The Aesthetic of Pure Practical Reason' a discussion of incentives, interest, what he calls the 'moral interest', and the moral feelings.

An incentive is a 'subjective determining ground of a will whose reason does not by its nature necessarily conform to the objective law' (C.Pr.R. 72), and an interest is 'an incentive of the will so far as it is presented by reason' (80). Interest, therefore, is a concept applying to beings like human beings; one which has its effect in subjective determination; and it is given by reason: it does not exist prior to the activity of practical reason, but is a feature of that activity. Interest in the moral law can then be understood as a presentation of pure reason to sensuous beings by which their wills are subjectively and immediately (Gr. 460n) determined to that law objective determination towards which is the work of the law itself. The law which determines the good will objectively also determines it subjectively through this presentation of reason to the will, and this presentation is necessary because of our sensuous nature (the aspect of ourselves that entails we do not necessarily conform to law). Though subjective and a necessary effect of our sensuous nature, moral interest might, then, be described as an interest of reason in itself (or in terms of the wille/willkür distinction, as an interest of willkür in the objective determination of wille by law. See H. E. Allison, Kant's Theory of Freedom, Cambridge; 1990, p. 135). It is necessary, given Kant's account of human agency, that reason has the 'power of infusing a feeling of pleasure or satisfaction in the fulfilment of duty' (Gr. 460), and this feeling is here equated with moral interest. Reason, then, causes us to have feelings - not so that we act morally, but as a result of our acknowledgement of duty

(Gr. 401n: they are the effect not the cause of the law in the agent). Part of the effect of the law is to give us feelings such that we take an interest in it, but this is an interest taken in the objective determination of will by law, and not a (subjective) interest from which we can act when we act morally (Gr. 413n; 449). We do not act, then, out of moral interest; rather we take an interest in the moral law since, and because, as well as its objective determination, it determines the will subjectively.

'Taking an interest' in the moral law, rather than acting 'from interest' in other grounds of determination, is 'immediate' (Gr. 460n; 401n) because, unlike other, mediating, feelings, moral interest is not an element within agency over and above determination by law but merely the subjective effect of this determination on consciousness (401n). This, then, is supposed by Kant to be the way in which reason can produce this feeling: not as an effect of reason upon consciousness, but as consciousness of reason, of the law. However, he also wishes to talk of moral interest as (Gr. 460) the result of a special kind of causality: one which is inexplicable since only the effect (interest) and not the cause (law) is located within experience. It is clear here that Kant is playing upon two different meanings of cause. The law is being considered as cause of our interest in the sense (A) that if there were no objective determination, there would be no question of subjective determination (the latter follows as the consciousness of the former); and in the sense (B) that the objective (i.e. outside sensuous causation) determination is causing a feeling within the sensory realm which then stands as the 'first cause' of action (behaviour motivated by this feeling). These two instances of causation have in common that they avoid the cause/effect relation of the natural, material world: in the first instance causation is immediate; in the second it is non-empirical.

I suggest that in neither case has Kant produced a concept which explains how sensuous creatures can experience the dutiful motivation he has described, for it is a concept of interest which must explain our particular motivations ('having an interest' must precede 'taking an interest', contra Kant, even though each entails the other), and what Kant has in fact done is to utilise his concept of motivation to explain our particular interests. In case A the moral law explains interest as following immediately from it as its effect in consciousness; in case B it explains interest as a sensuous effect of the unconditioned upon experience. In both the cart has simply been put before the horse since the task of explaining how this formal moral law can be grasped by our sensuous make-up has been subtly replaced by the Kantian question 'how might the objective law of practical reason produce an effect on subjectivity and so lead to action within the phenomenal world?', which anticipates the Kantian answer, 'given that we are free and autonomous, it does and must'. The strain in Kant's theory between requiring the moral feelings to be efficacious in our 'taking an interest' but not to touch our motivation leads to this remarkable shift of emphasis in which motivation is given precedence over interest. Another way of expressing this is that Kant has equated, explicitly, 'taking an interest' with 'having an interest' because of his belief that all interests are presentations of practical reason (a belief which depends upon his view of agency as



maxims formed by practical reason - rather than by the motivational effect of interests upon practical reason), whereas 'taking an interest' is in fact a species of motivation, and any feelings operative within my taking an interest in morality must thereby affect the motivation upon which I act.

It may be objected that this is Kant's originality: to invent a new concept of moral interest as consciousness of duty. However, Kant accepts that all action, including moral, is action directed to an end of interest or 'impulse', and he relies, in 'The Aesthetic' upon a coherent doctrine of moral feelings to harmonise this with the theory of the dutiful will in order to demonstrate the actuality of the practicality of pure reason. He is committed to showing that human beings may turn from self-love and pursue an interest which has as its object moral action, and he cannot demonstrate this simply by the assertion of pure motivation and the 'inexplicable' fact that it causes the feelings of moral interest without which it could never become efficacious. Again, of course, the Kantian response is that duty is not merely asserted but demonstrated by the deduction of transcendental freedom (and that the positive conception of this freedom as autonomy - the self-legislation of morality - is sufficient of itself to explain our interest in morality): if freedom is proved, we do act upon a motive of duty, and so must have an interest of the type he describes in morality. It is this freedom we must next address, but not as the doctrine, as Kant supposes, which both demonstrates and justifies the concept of moral interest, but as a possible alternative to what I believe is the impossible task Kant sets himself of providing an account of human interest in the objective law. We should notice, however, that even if Kantian freedom were correct and so could substitute for interest in explaining how we can be moral, he would still be required to produce a coherent psychological story explaining how the (now demonstrable) morality actually motivates a will which is sensuous. Just because our interest in morality would have been shown to be the result of our freedom and not of fundamental desires or conceptions, it would not follow it has therefore been shown how we are motivated by duty.

It should be noted that in those places where Kant tries to give content to his notion of moral interest he provides nothing extra which might explain how the psychology of a free individual might be affected. The moral feeling which is preeminent and in which moral interest consists is respect, which is intrinsic to objective determination (C.Pr.R. 74). Respect alone is a feeling 'not received through outside influence but one self-produced by a rational concept' (Gr. 401n). The problem is not that the concept of respect is a weak part of Kant's theory. In fact, the way in which he develops and makes use of it suggests respect could serve as candidate for the interest, in my sense, which explains our possession of moral motives. However, Kantian respect could not perform this function because its occurrence is inseparable from particular acts of objective determination of will by reason. This is clear because if respect is the subjective rendering in consciousness of law, respect occurs inseparably from particular determinations of will. As it occurs on a case by case basis, respect lacks the status of a background, permanent and complex involvement of the human agent which could explain his moral motivation.

Similarly, respect does not possess the content needed to explain how objective law might affect the psychology of free human beings, for respect, unlike any other feeling, cannot be understood in terms of inclination (C.Pr.R.92. I take '...the feeling of respect of a kind that no man has for any inclinations whatever...' to mean that the object of respect cannot be an object of inclination, but instead is the law, and that the sensuous component of respect is not its object, but the overwhelming effect of this object upon our, subjective, inclinations). Respect consists simply in the humbling experience of recognising our maxims of self-love for what they are in the face of the objective moral law (C.Pr.R.116/117: to see respect as subjective determination which is sensuous is an 'illusion'. Rational determination is never more than 'the ground of the feeling of pleasure', and the fact that the cause of this feeling leads to 'an impulse to activity' which is what feelings, too, generally lead to, should not cause us to say it is the feeling in the case of rational determination which leads to a activity). Respect is not a feeling of pleasure, and may even run totally counter to all pleasurable impulse (an 'inner satisfaction...merely negative with reference to everything which might make life pleasant', 88).

I think 116/117 is ultimately unclear as to whether the subjective determination which is respect for (interest in) the law includes pleasure as an element of itself, or merely causes pleasurable feelings once the will has been determined by rationality. In either case it seems clear that any sensuous feeling present is not that part of (or that effect of) subjective determination (respect) which is responsible for the involvement of human beings with morality. Therefore respect lacks the phenomenological content to explain how the moral law might engage the psychology of free human beings.

Despite its failure as an acceptable account of interest, respect, the subjective ground of objective determination, is responsible in Groundwork for the Formula of Ends which tries to reconcile the moral worth of duty with the necessity of an absolute, material end, and the Formula of the Kingdom with its appeal to the highest good of happiness proportionate to morality (C.Pr.R.124). It is through respect, then, that we do see the union of worth and interest, morality and happiness, duty and end in Kant's work. However, these new categorical imperatives are simply formulations of the objective law which Kant can introduce only because of his insistence on the inseparability of interest and dutiful motivation. This inseparability does not mean he can successfully unite duty and interest within the new principle of Ends or the principle of the Kingdom, but that these new principles of subjective interest have no separate status apart from the primary principle, the formula of Universal Law, the principle of Duty. Although they treat of the subjective interest of the moral agent, they do not help us to understand this since they do not add to the doctrine of formal legislative determination of will, but do no more than represent, and re-represent, this objective determination at the subjective level.

Kant's own explanation of the determination of the will by pure reason, of the possibility of the categorical imperative, is the doctrine of freedom. My quarrel with Kant over freedom does not concern the First Critique's Third Antinomy which he resolves through a non-natural causality, transcendental freedom, or the argument by which the notion of freedom is given reality as an idea in C.Pr.R., or the supposed deduction of freedom in Groundwork 3, but the concept of freedom itself. I do not think Kant's concept is a concept of freedom, and though it may be validly deduced, and even successful in the resolution of the antinomy, it does not succeed in grounding the practicality of pure reason (which I believe would require the concept of interest Kant cannot, or rather will not, produce), and so does not demonstrate that morality is pure rationality.

As creatures of the world of nature we are, according to Kant, determined by causes both inside and outside ourselves; as creatures free from this world we can ourselves cause our actions without there being any other cause of them outside our own self-determination. Freedom from the empirically conditioned world of sense means for Kant that we can take an interest in non-empirical determination of the will. As we have seen, he does not believe that this phenomenon of 'motivation without inclination' requires an explanation in such terms as desires or personal conceptions of the good - a concept of interest. This is the most radical part of Kant's theory to my mind. When he discusses the power reason has for one who is free Kant comes closest to removing the moral feelings altogether and substituting for his own the thesis that in so far as we are noumena, we do 'take an interest' of a quite non-sensuous sort in purely rational determination.

If we look to Groundwork (438), it is argued that rational beings as ends in themselves must be able to regard themselves as making universal law: they must choose actions not from any point of view within nature, but from the point of view of their own intelligible existence. 'Accordingly every rational being must so act as if he were through his maxims always a law-making member in the universal kingdom of ends.' He is free from all 'dependence on interested motives', and therefore free from the law of nature. The ends of his actions are in no way conditioned except by 'the mere dignity of humanity, that is, of rational nature in man' (439). Morality consists in action willed apart from all interested conditioning, autonomous action. Such autonomy, apparently restricting, is, in fact, liberating as it a/lifts man above natural laws, and b/invests him with dignity as the author not only of his free actions, but of the moral law itself (440).

The moral will is the autonomous will, and this is a will which is determined by the form of universal legislation itself and by no other object. This species of determination is freedom in its negative sense. The positive sense is the experience of autonomous willing itself, the exercise of 'the property which will has of being a law to itself' (447). Moral willing and free willing are one whether freedom is understood as independence, or unconditional authorising of acts.

Kant must show not only what freedom is, but that we are free; not only demonstrate what freedom would be for an imperfectly rational, that is, a human, being, but demonstrate that the wills of

human beings are free and determined apart from any objects of sense. To this end he argues that reason must see itself as free from any other influences otherwise it could not understand its judgements as its own: freedom is a necessary property of agency (Gr. 448). Furthermore, in their aspect as intelligence, or noumena, rational beings see themselves constantly as apart from sensuous conditioning. When they view themselves as author of the moral law (which we have seen they must do so far as they possess a good will), then, and when they exercise their agency human beings are self-determining and independent from natural causation. They actually are free, rather than only possibly free, with respect to agency and the moral law.

They possess a second sort of freedom with respect to agency: the freedom to themselves initiate a causal chain within the natural world; to determine themselves not by law, but by a maxim of prudence through which desires are satisfied and the objects of need sought (see Allison, ch. 3). This is the sort of freedom we most often understand ourselves to have, but it is essential that we distinguish this, practical, freedom from the freedom of pure practical reason, transcendental freedom. The latter is not only morally fundamental, rather than merely morally permissible, but is also experienced not only as duty, the categorical imperative, but as an expression of our autonomy. Practical freedom, freedom within nature may be exercised with awareness of the moral law, but only with awareness of it as restraint which we either attend to or ignore; transcendental freedom, in the positive sense, is exercised not just in the knowledge of the moral law, but as the expression of the moral law. It is because of the capacity of the rational agent to himself mirror this law of rational willing completely in that very determination of will in which the law is operative that his authorising of action is also his authorising of that law; it is because the law he authorises is authorised in an act of will which is determined by the law itself that his authorisation of it is an expression of his own will as it is made practical by pure reason. Authorising a law and willing in a fully rational way are one: giving expression to one's fully rational self and authorising the moral law are indistinguishable. Freedom, then, is inevitable for a human being who is willing in a fully rational way.

The demonstration that the will is free does not imply an explanation of this. The question of how freedom is possible is (459) unanswerable. In the light of this, ultimately there is no explanation (459-60) of why rational beings take an interest in morality. This will fail to disturb only those not just convinced by Kantian freedom, but convinced that it is a concept of freedom: that Kant's concept of the autonomous will satisfies all the conditions of a concept of freedom. I am not convinced of this, and so I believe that a concept of interest of the kind outlined earlier is required by Kant if he is to demonstrate pure practical reason. I will suggest later how such a concept might be constructed from components of Kant's own Doctrine of Virtue, and how this might be made compatible with the Categorical Imperative.

In one respect Kant's account of freedom is definitely correct. Freedom is not merely not being compelled to choose one thing so as to be able to choose another. For Kant, such freedom from



particular empirical causes simply reintroduces the question of freedom with respect to the determination of the will towards the particular action which we do elect to perform. The error in the thinking which claims freedom is 'from' one thing so as to enable us to choose another is in the notion that freedom is 'from' things at all. Belief in this idea regards choice as hovering above options and able to descend on any one with equal facility depending upon conditions (beliefs and desires) which the agent may with equal facility satisfy. No particular option holds him in any way that is outside his control. Thus he is 'free from' ties to any x so as to be able to choose any a, b, or c. However, those who accept this must either hold that the agent who does choose a, b, or c is also free from choosing this, or that he is not. If he is not, then he is not free in rejecting x, for he has exchanged thralldom to it for thralldom to a or b or c; if he is, then he is free both from what he chooses and from what he does not choose simply because he does choose one of them. But if he is 'free from' what he chooses and what he does not choose merely in virtue of choosing one of them, choice, the exercise of which is being used to demonstrate freedom, is neutral with respect to freedom: otherwise it would not be that his choosing of 'a' could leave his freedom unaffected. However, if choice is neutral with respect to freedom, it cannot be that any act of choice is sufficient to demonstrate that agents are free from what they reject and what they choose, because the series of rejecting one for another might be continued with respect to b, c, d...n, and the bare fact that the series of choices in neutrality to freedom is continued gives no grounds for asserting that freedom has been proved.

Such theories were well-discussed in the original debates by the Church Fathers, and in their revival by the medievals, in which the complexity of different meanings of the term 'free will' was first exposed (see E. Gilson, The Spirit of Medieval Philosophy, London; 1936, ch. 15). The notion of not being compelled to choose an x was part of this complexity, and a valuable part, as Aristotle, among others, saw (N.E. 3). However, the fact that today worries concerning medieval questions such as which 'part' of the agent does the hovering, that is, what is a chooser, persist indicates the difficulties of this particular tangle.

In discussing Kant we can say both that he must be taken to hold freedom is from the whole world of things, and that free action requires some reference to things. In its negative sense it is independence from the world, and in its positive sense it is mastery over the world which requires personal ends and interests, even in morality. We require both these components to understand his doctrine: it is both that we are independent from nature, and that we have mastery over it. It is, then, a kind of transcendence which raises us, in so far as we are rational, to the status of God and the angels: it requires us to be in the world so far as we have autonomous mastery over it, but not of the world in that we are independent of natural causation. My criticism is that this omits the most important features of freedom.

It is true that freedom concerns the relation of choice to the totality of one's existence as an individual. However, it is not true that this relation is that of a non-empirically conditioned cause to noumenal existence. Freedom is that property by which one's choices

are one's own choices - nothing more; and this certainly does not restrict one's freedom to that part of one's existence described by Kant as rationality. To talk about free will or free choice is primarily to talk about that set of choices which relates to the area of her activity in which alone an agent can properly, or truly be said to choose. Freedom, at least as it is applied to human beings, refers to the restricted area within whose perimeter the agent can truly choose for herself - an area we find it very difficult to accept as restricted. Only with regard to this small part of the cosmos can I be held fully responsible. Consequently, only in so far as I do have an area in which I have such direct influence can I be enrolled in morality. Understanding this should be humbling as it teaches how small the extent of my direct influence is and how restricted the grounds of my moral identity are, but also uplifting as it suggests how great the area outside freedom is in which we may have an influence which is not wholly our own, but which can operate through the mediating practices and institutions of the morality in which we are implicated. Freedom and morality are linked, but are not co-extensive. Freedom locates my individuality, which allows me to grow into, and within, a moral community in which my actions can be moral ones without necessarily being free ones: they can be actions which are not wholly mine. If freedom did not take this limited form, grounding our moral nature but not constituting our moral actions - those distributed through the media of moral practices and institutions - we would be overburdened and oppressed by the situation in which every action of ours which has in any way moral implications (probably, every action of ours) is a free action, one for which we are liable to bear full responsibility. Instead, freedom is limited in comparison with morality (morality need not consist in actions which proceed from choices truly mine) though it grounds it in the sense that it is the 'key' to membership of a moral community; and freedom is limited with respect to action in general because those actions which proceed from choices truly mine form only a small set of my actions. What does it mean to say that our free actions are those which are the result of choices truly ours? Peter Brown (Augustine of Hippo: A Biography p. 374, quoted in M. Ignatieff, Needs of Strangers, London; 1984, p. 62) describes the distinction of St Augustine between 'the freedom to make choices, and the freedom which comes from knowing that the choice one has made is the correct one.' The point is that the choices we are free, in the sense of able, to make are never self-guaranteeing: 'free' choices need not be examples of choices it is right or natural for us to make. When we make these latter choices, we are free in choosing what we know to be good - as well as exercising freedom (ability) of choice. Freedom here is not just a property of our choices as we determine the will; rather we are made aware in the making of a certain sort of choice that we are free. Choosing certain objects is freedom not because of any feature of our choosing, but because of the nature of the objects chosen. The freedom of knowing I have chosen correctly is a gift of grace; when this is given, the soul is as certain of its choices as the body is certain of the presence of great pleasure. Gilson (Christian Philosophy of St Augustine, London; 1961, p. 323 n. 85) explains the distinction between liberum arbitrium and libertas as between 'man's free choice, the

evil use of which does not destroy nature' and 'liberty, which is the good use of free choice'; the human will 'retains its free choice, and it gains liberty' (p. 161). It is free to receive liberty.

5 / Augustinian Grace is not under discussion here. The point I am making is that freedom contains, at least, two components: the ability to make choices and the ability to make the right choices. The right choices are the ones I described earlier as those 'truly' mine. Freedom cannot simply be 'from' x so as to be able to choose y, for this says nothing about whether y is more likely to be the object of a choice that is truly mine, something in the choice of which I realise my liberty. However, freedom also cannot be, as Kant seems to think it is, freedom from all objects, for freedom does require not just that I can, but that I actually do, choose some objects: those objects which are not just alighted on by me, but are objects of choices truly mine to make. Freedom must be 'among' objects: not 'freedom from', but 'freedom to' adopt the objects of my proper choices.

This liberty I have when I know I choose right, can be understood as having the ability to choose these objects no matter what. I argue for this as follows: this freedom is more than just the ability to form choices: it is the ability to make choices referring to objects of a certain sort; a fully free subject, then, is one who realises liberty because among his practical abilities is one referring to the correct objects; this is not an ability placing no restrictions upon choice, but a necessary substantial ability of a free being, in so far as he is free, linking him to a certain restricted range of goods; it is therefore an ability which a free being cannot lose: loss of it is loss of freedom. I am free when nothing can cause me not to be able to choose things of a certain sort. Freedom can be understood, then, as an agent's being bound to certain things; being unable to lay down the ability to choose them. Ultimately, it must be understood in terms of our natural dependency.

So understood, freedom need not war with the everyday concept of freedom as having the ability to choose this, but, should I want to, to choose that. They are two intertwined notions. One assesses the degree of compulsion or lack of it in my choices; the other concerns whether the objects of my choices make them choices truly mine or indicate that they are mediated through some institution or process in which I participate. A choice which is mediated to some degree by social institutions, one which does not result in liberty, may be compelled or uncompelled, and this to a certain degree; and a particular choice of an object which is truly mine to choose may be compelled in certain circumstances. It is important to get this correct. A mediated choice which is compelled is in some way a distortion of choice: the media have ceased to be media and have imposed upon my will. A direct choice of myself which is compelled, however, is, so long as the compulsion is exercised by the particular object of the choice, a distortion of choice, but not because of the imposition of something external upon my will (for the object is one of those I might properly choose), but because I have caused, or allowed, myself to be unable to choose freely from (in the everyday sense of 'freely') the objects of those choices properly mine to make. Such compulsion is the result of over-identifying my self with, or allowing myself to be dominated by, one particular thing from among those from which I can truly choose. Here, I, and not external and mediating objects, have impinged too much upon my own choices. This compulsion violates not

my ability to make choices truly mine, then, but my ability to make choices: my ability to choose x (an object of a choice truly mine), but, should I want to, to choose y (also an object of a choice truly mine). Both notions, 'choosing from' and making choices whose objects are truly mine to choose, are bound up with each other: inability to perform the former results in inability to make those choices truly mine to make; inability to perform the latter results in inability to choose my actions 'from' a full range including those that are the objects of choices truly mine to make. When I choose to do, and do, something which is the object of a choice truly mine to make, then, this action has two elements: I cannot lay down the ability to choose the objects aimed at: I am always able to choose them; and I can be sole cause of the action: it need not be, though it may be, in any way compelled. The question is not only how I can be an uncaused cause, but how with regard to certain choices I cannot help but be an uncaused cause? The answer is that something must cause me to be such that there are always certain actions which when I perform them have absolutely no other cause but me (see H. McCabe, God Matters, London; 1987, p. 11-15; R. Chisholm 'Human Freedom and the Self' in G. Watson ed. Free Will, Oxford; 1982; Aquinas, S.T. 1a. 54. 1-2). Something causes me to be sole cause of certain of my actions, and when with respect to any of these actions I am not sole cause, it is because I have over-identified myself with its object, or because some external compelling factor has intervened. Any hint of paradox here is resolved when we understand that what causes me to be free (self-causing) is not actually a something at all, a rival with me in the issue of who should cause my actions, but that causal influence which determines me as me. It and I do not dispute over which should bring about my free actions: it causes me to be this individual such that there are certain actions I cannot but be able to do; I cause myself, when I choose to perform one of these actions, to do it. Freedom, then, is being constrained to have the ability to make certain choices; and whenever I act upon such choices, I am sole cause of my own actions, unless I have over-identified with one such choice or something external has intervened.

This conception of freedom is basically Augustinian in its separation of 'freedom from' and liberty (see Augustine De Libero Arbitrio, trans., M. Pontifex, London; 1955, 111, 3, 7; 11, 19, 51 on how our will can take itself as its object, and so elect for liberty), but consists in a conception of liberty which relies on the position of Aquinas: God's causality, uniquely, is esse, he actualises the essences of all creatures; the degree of perfection of certain essences is such that they can themselves create, they can function as efficient, though secondary, causes of existence; God thus causes certain creatures to be such that they can in respect of bringing about existence be sole cause of their own actions. The structure of this concept explains the connection between freedom and the self-identity of the individual, and so his potential for membership of a moral community. I have not specified what the objects of 'choices truly mine' might be, but I have claimed that if freedom is to be connected with self-identity and morality it must be understood not just as absence of compulsion over a range of choices, but as inability with respect to the objects of certain choices to lay down the ability to make those choices, and, by implication, inability to



destroy one's individuality or to remove oneself from moral community.

What may be controversial in this is the idea of a cause causing me to be sole efficient cause of my truly free actions. If Kant had been right that freedom consisted in a region of autonomy, an intelligible world, then such a cause would not be necessary. As it is, freedom is within this empirical world of particular things and concrete events, but consists not in freedom from any one of them, but in inability not to be able to do certain of them. Thus, an explanation is required of why there are certain things within the world I am always able to choose. It is the necessity of such an explanation which frees a theory such as mine from the criticism of Chisholm's Thomist theory by H. Frankfurt (Watson ed. p. 93).

Perhaps, he says, this theory is true, and self-causation is an irreducible feature of human agency, but why is it good, why should we care about such freedom? Augustine and Aquinas escape this criticism because of the conception of Grace and of the power of reason to transform the natural inclinations into objects of principles (Augustine, De L. A. 1, 8, 18; Aquinas, De Malo, trans., A. Pegis, New York; 1945, q. 6). If the free will of a self-mover is the product of divine Grace or the expression of practical reason, free actions are good. I am not here wishing to claim either of these. However simply acknowledging that there is something which causes me to be me, to be free in the core of my choices, dissolves the force of Frankfurt's criticism. If, unlike Chisholm, we restrict the boundaries of freedom to a certain determinate set of choices which constitute our individuality, and which do this because of something which causes us to be sole efficient cause over a certain portion of our practical lives, we can invoke the factors of our self-identity, our integrity as agents, and our potential for membership of a moral community as the reasons why freedom of the will is a good thing. To be able here to specify the nature of the cause which causes me to be free but is not an object in the universe, and to suggest at least the possible objects of choices which constitute a human individual would make this thesis complete. It would, however, carry it beyond the limits of scholarship, for our community does not recognise either the depths of the individual self or the reasons for the mystery of its creation. Ignatieff is right (p. 101) that we have not found an alternative to Augustinian Grace, and that we must.

### Non-Kantian Freedom and The Concept of Interest.

Kant is right that freedom must be explained by the relation of particular choices to the whole life of a person, and not economically, by the ability to lay down one thing for another. However, the cause of freedom is not noumenal. It is not human beings in so far as they are free from nature, but a cause external to human beings which causes them to be able to choose rightly within the natural world. This examination has shown that Kantian freedom cannot do the work of a concept of interest, or remove the need for such a concept if pure practical reason is to be demonstrated. For although a being free from nature could conceivably take a 'pure' interest in rational choices, human beings cannot be 'free from' nature and thus cannot make purely rational choices if this involves non-empirical determination. He is right that morality concerns my freedom, my true identity and my dignity, but it does so not because it is founded upon my noumenal existence, but because it is grounded upon those of my (wholly phenomenal) choices that are truly mine.

An account of moral interest developed along with this understanding of freedom would explain that my interest in the objects of choices truly mine - and not my freedom from them through autonomy - explains my engagement with a moral community, and, ultimately, my possessing the moral motives I do. Interest would be best explained here not by fundamental desires but in terms of the individual's conception of the good. This would make reference to his true choices, his self-identity, which would explain how he appreciates the rightness or appropriateness of certain of his choices. Such an account of interest might be made compatible with Kantian dutiful motivation if those actions of which I am sole cause, those truly mine, were to include the sorts of wide and narrow duties which Kant expounds in the Metaphysic of Morals. Then my interest would consist in a conception of the good in which these duties played a fundamental role, and explained my moral motives. By also including a reconstructed theory of the moral sentiments we might explain when these motives were based on inclination and other empirical factors ('personal, or wide morality'), and when, though accompanied by empirical factors, they instead were based on the granting of principles concerning our interest to the will by pure reason. In the latter case we might seek to demonstrate this process of motivation as the realisation by the agent that certain principles of action are universalisable for human beings.

The relationship between this latter form of motivation and motivation which we possess because of our conception of the good but which does not refer to universalisable actions but to actions we want to perform (actions which must be morally permissible, at least specifiable as ways of fulfilling 'wide' duties - for example, to the self) is unclear, but there are materials for explaining it within a revised Kantian account of the moral sentiments. Actions which result from choices 'truly mine' could be explained as actions the motives of which transcend the principles of particular moral communities and social institutions in one of two ways: either the motive provides me with a principle which all

members of all moral communities must will, given the structure of their interests, or it consists in the importance to myself of certain activities or projects of action which may conflict with the standards of my moral community, but not with my, or anyone else's, recognition of universalisable principles in the light of the structure of interests. Whatever its detail, such an account of interest could retain both Kant's formal philosophy and his treatment of the moral sentiments and of the ethical tradition in the Metaphysic of Morals through a concept of interest, and by the abandonment of Kant's own doctrine of freedom. As my subject is not Kant, but 'Kantianism' I want now to consider the implications of such a re-working of Kant.

The Metaphysic of Morals is the actual working out of the determination of will by non-sensuous motives in a being which cannot escape his sensuous nature. Duty is the necessitation of choice by law; because of our sensuous nature, this is experienced as constraint. This constraint is either socially imposed as law in community, backed by sanctions and aiming at the consistency of individual ends of action with freedom (Doctrine of Law), or experienced as self-constraint 'by the mere thought of the law' (Doctrine of Virtue, trans. M. J. Gregor, New York; 1964, 379), constraint which reconciles the necessitation in law with freedom (Doctrine of Virtue). The self-constraining of free choice by the law makes possible 'inner freedom.' It does so because the law, in order to test the ends inclination proposes in the face of duty, must also propose ends. It proposes 'necessary' ends, ends given a priori, determined by pure reason. As only I can give myself an end, these ends are compatible with my freedom. Freely adopted sensuous ends and particular necessary ends that are freely adopted produce the experience of self-constraint, inner freedom. The argument that pure reason must produce necessary ends is, I think, valid. Kant argues that if it is to combat sensuous ends, it must do so (D.V. 380); and also that if some ends of action were not necessary, or duties, all ends would be valid only as means in which case moral philosophy as he conceives it would vanish (384). This ancient argument is, I think, valid, though not always useful, in whatever form it appears. Together these arguments demonstrate that reason determines the will to certain necessary ends which are duties. Since these are necessary, they do not depend on the contingencies of sensuous inclination; they are, therefore, determined by pure reason. Again, how we take an interest in such ends is not explained. Here, particularly, such an explanation seems necessary. We are told that in purely rational determination restraint or virtue (defined as: 'fortitude in relation to the forces opposing a moral attitude of will in us' 380) is exercised in the face of inclination, and that for this to occur reason must do what inclination does - form ends - and somehow outdo inclination in this. The ends, though determined purely by reason, must confront and overcome ends of sense in a being which is definitely not a holy being. Objective determination of necessary ends, then, not only involves determination in independence from inclination, but determination in independence from inclination which yet meets the conditional necessity that the having of ends of inclination imposes upon me, and dissolves this. They may be objective and purely rational in origin, but that is not sufficient for these ends to

take a practical hold on us which will weaken and overcome ends of sense. For objective necessitation to be practical we must possess an interest in these ends such that without losing their purely rational determination of subjective will, they can stand with, and defeat, conflicting ends of inclination.

Such an account, as I have said, could be desire-based (we might desire the ends of reason - rationality itself - just as we might desire the ends of beauty or love without this object being itself sensuous), but within the Kantian system it would more naturally take the form of a conception of the good. In D.V. the basic elements of such a conception are found. Necessary ends are of two sorts: the strict ends of universal obligation, and the 'wider' ends which limit the boundaries of personal choice without specifying particular necessary choices. The argument for the revised Kantianism would then continue: our interest in these necessary ends arises because they are truly ours, they are ends which underlie our identity, and which, therefore, are the source of our freedom. It will not be surprising to discover that in Kant's text the content of these necessary and objective ends carries us back to the structure of human nature as understood in classical Natural Law tradition. The elements of our interest, or at least of that part of our interest which explains our moral motives, suggested by D.V. are self-perfection and the acknowledgement of the happiness of others. Self-perfection (386) consists in the cultivation of natural capacities, including the understanding, and of the moral will. The recognition and pursuit of others' happiness consists in making their ends mine (387). Personal happiness has no place in this theory of duty because it is an inevitable tendency of human nature. Self-perfection and benevolence are duties of wide obligation: they do not specify exactly how far one must go in cultivating capacities or adopting others' ends. When the detail of self-perfection is discussed however (see 418), this is seen to give rise to certain particular narrow or negative duties (forbidding us to act contrary to the end of our nature), and particular wide or positive duties (commanding us to adopt ends aimed at our perfection). These duties must be acted upon in the first case to preserve ourselves, and in the second to improve our moral standing by cultivating all of our powers (natural and moral). Corresponding to the objective division of negative/positive is a subjective division of duties to self as human animal and duties to self as moral being. These refer in the first case to instincts of preservation of the subject and of the species, and to the ability to enjoy animal pleasures; and in the second to the harmony of one's maxims with one's dignity as a person.

When the detail of the wide duty of benevolence is discussed this is divided into duties that are due to the other and duties that are not. Recognition of these duties is accompanied by the feelings of respect and love. Duties of respect are narrow or negative in comparison to duties of love (449): I am obliged to show respect, whereas love obligates only the receiver. The 'duties of respect' are modesty, moderation, and love of honour; the 'duties of love' are beneficence, gratitude and sympathy. Then follows (467) a discussion of the duties which arise between men in special circumstances.



This structure of duties, the practically necessary ends, provides a specific example of a possible scheme for understanding the objects of choices which are truly mine: things which I cannot help but be able to choose, and which form the kernel of my interest, my conception of the good. These duties may not exhaust my interest - there may be further objects of choices which are truly mine and which explain the motives of my particular actions - but I am caused to be such that when I choose at least these things as goals of my actions I am aiming for what I cannot help but be able to choose and am sole cause of my own actions. This combination of constraint regarding what I am able to choose and self-causation may exist with regard to certain of my non-moral, or even immoral, choices also (my interest may persist totally outside the moral sphere), but that is a question concerning the identity of the individual - a personal question - and his moral history (his relationship to his moral community) about which little of any generality can be said.

We should note that in my revised Kantianism it is self-perfection and altruistic happiness together which constitute moral interest, for the happiness of others cannot interest me 'purely' unless somehow connected to self-perfection (of, for example, moral capacities), and self-perfection cannot interest me morally at the cost of the happiness of others. Thus this conception of interest includes both negative duties of prohibition - against suicide, fornication, lying, disrespect, immodesty - and positive duties of permission - development of natural skills and talents, moral will, sympathy and benevolence - which straddle the divide between self-concern and concern for others.

#### Positive and Negative Duties.

In terms of a conception of interest I would explain Kantian positive and negative duties as follows. Negative duties explain why we hold motives of duty which consist in wholly non-sensuous principles ('principles of pure reason' in the Kantian terminology) concerning action the goal of which represents a true choice for all human beings, and how there can be such principles. That is, there are objects of choice which no human being can turn her back upon; these, therefore, provide a motive for any human being holding rational principles of action designed to achieve them, and this without any sensuous determination; to act upon such a principle is to act upon a choice that is truly one's own and of which any human being might say 'this is a true choice of mine'; it is, therefore, a formal, or objective, principle requiring that the maxims of our actions conform with the true choices of ourselves (the ends of nature in ourselves) and the true choices of others (those required by respect for them). Negative duties explain and express the content of Universal Law which requires us to act so as not to frustrate the objects of choices which are universally (mine + others') true choices.

Positive duties explain why we hold subjective motives for action consisting in principles the content of which is not purely rational, but reflects our personal ends while not contravening the requirements of Universal Law. All human beings have as part of their interest the development of natural and moral capacities and the demonstration of loving action towards others; but there is

latitude within individual cases as to what principles of moral and loving action this will lead to. Such duties, therefore, do not constitute the Universal Law, and do not give to the will motives of conformity, but explain our interests in self-development and benevolence, and give us principles which reflect our personal, particular and sensuous ends within the context of this, 'morally permissible', sphere. Positive duties express that part of our interest which while sensuous, concerns objects - personal development and loving action - which represent true choices for all human beings, while not entailing particular principles of action for any human being.

I am not only free to choose to perform such negative and positive dutiful actions, but have or exercise liberty in choosing to do them: they are objects of my right or true choice. The universal aspect of the negative duties component of this concept of interest gives to principles of pure reason the authority to confront and overcome ends of inclination; the fact that our holding these principles as motives is explained by a complex conception of the good, our interest, involving more than merely formal principles explains how pure reason can compete with inclination at all. The subjective aspect of the positive duties component of the concept of interest allows freedom of choice, in the sense of ability not to choose what I do choose but to choose something else instead. This structure of freedom within the pattern of practically necessary ends accommodates both what fits human beings for the moral community and what individuates them. The inalienable component of interest - represented by the negative duties - provides everyone with the bare qualification to enter into moral community with anyone else; the latitude of the wide component - positive duties - guarantees the distinctive identity of agents within the moral community, as does the differentiation and specialisation of the ends of personal experience.

#### A Possible Kantian Response.

This reading of Kantian philosophy with a concept of interest derived from Kantian material validating a completely non-Kantian theory of freedom is the basis of an attempt to reconstruct part of Kant's practical philosophy omitting some alleged defects. It could fairly be claimed, however, that this reconstruction is too deeply unKantian and too hastily foisted on Kant. For example, self-perfection and altruism not based upon a natural law teleology would be a more acceptable revision of a concept of interest for Kantians. The difficulty would then be to explain why these form the centre of human interest without resorting to a teleology of human nature, represented by me as a domain of choices with respect to which we are caused to be self-causers.

I suggest that the only other explanation for this would have to take the form of an assumption by the Kantian: a practically rational human being assumes not only her own freedom, but also that human nature is of such value that it cannot but be furthered in herself by the cultivation of all her powers and assisted to flourish in others by the adoption of their legitimate ends. That is, we could retain my suggested concept of interest only by making a purely evaluative assumption of human worth. We must develop ourselves because human beings are of such value that if any

practical project is to be pursued at all, that of self-development must be pursued; we cannot develop others, but we can assist their development into full flourishing by increasing their happiness. Kant himself is, of course, committed to the ideal of absolute human worth, and this is the point of the second formulation of the categorical imperative. However, for Kant this is a formulation of the moral law itself. The categorical imperative must have an object of supreme value if it is to indicate ends which are objective and necessary. He argues as follows that this object is personhood: the point of the categorical imperative is to make individual choices possible for a plurality of rational beings by the criterion of universalisability; no member of this plurality, therefore, can be subordinated to the will of any other by that other's choices for this would amount to a denial of universalisability; thus the rationality of individual agents is the true and absolute object of the moral law. The notion of absolute value of rational beings here is, then, derived by Kant from the structure of rationality itself. However, much as he needs this notion of absolute value, it cannot be derived from the categorical imperative. A first reason is that the content of the practically necessary ends refers not to the formal ingredients of the structure of rationality, but to the needs and capacities of human rational beings. These material ends cannot, I think, ever be derived solely from the premise of Universal Law: from logic, ultimately, only logic follows. Therefore the value which they possess must originate from more than the categorical imperative alone. More important, the first formulation of the categorical imperative says that what I will ought to be what I and everyone else can together will. But what I am to will is not and cannot be given merely by the structure of the categorical imperative. It has no substantive normative implication. As soon as we try to apply the categorical imperative, Kant thinks, we will realise the truth concerning human dignity and worth. But, in fact, with the doctrine of freedom exposed, we see the Kantian 'proof' of absolute value of persons amounts to no more than an assumption: without the doctrine that agents are free from natural determination their role in the universalisability test is not that of centres of value, but merely choice or intention 'bearers'. There is no longer unconditional value in the individual - there is no reason for considering her an object of respect - but only the conditional value of the agents' possible choices. Thus Kant too is shown to be holding the principle of absolute human (rational) value as an assumption: a purely normative one, just as the categorical imperative is purely formal. I suggest this assumption, which we must admit if we deny both Kantian freedom and my alternative to it but wish to retain universalisability with my suggested concept of interest, must be isolated from the moral law itself, and its structural role in Kantian ethics acknowledged. It underlies the theory of practically necessary ends held by Kantians who do not place an emphasis on natural law teleologies - even if the necessary ends are not formed into a concept of interest as I have claimed. Non-teleological Kantians who deny the workings of this assumption in their thought when they face the discussion of practically necessary ends must provide an alternative to this account (itself an alternative to my revised Kantianism): all rational human beings make the assumption that humanity is of utter value, and so possess the practically

necessary ends of self-perfection and altruism as part of their interest; this component of their interest explains their holding moral motives both of 'pure reason' (negative duties) and of 'personal rationality', duties of latitude.

There is a certain benefit in holding a Kantianism based upon an ethical assumption. On this reading Kant's achievement rests neither in grounding ethics in a teleology of human nature nor in the concept of pure reason. It consists rather in the discovery that ethics can escape the heteronomy implicit in theories of human nature and so be purely rational, but only if it is acknowledged that there is an absolute value in humanity as such which explains the interest (all) human beings take in purely rational determination. Despite the great fight not to say this, and his belief to the contrary, if Kant is not interpreted in terms of the theory of freedom and interest I suggested, I cannot see in what other terms so many aspects of his theory can be preserved than those of a normative assumption. The importance of this Kantianism would be that we now have a new way of looking at human nature: not in terms of desires, or needs or sentiments, but as a whole the value of which cannot be reduced to, or explained by, the nature of any of its constituents. For a practically rational being, a being whose reason can affect his actions, this assumption of human worth is enough to produce all he needs to be able to perform not only actions into the production of which rationality enters (prudent actions, and actions in response to positive, wide, duties), but also actions motivated by pure reason (actions in response to negative duties, determined by the categorical imperative).

The normative assumption upon which this view of human nature is based reconciles ethical and metaphysical considerations within itself. This is so because if we know that human beings are of absolute value, we know much of the sort of thing that human beings are. The normative assumption, if it holds, explains to us that we know what human beings are not through knowing their essence but by knowing their worth. Normative status is not posterior to metaphysical being in the case of human beings: instead it replaces questions of essence which become ways of classifying human beings and their attributes. This approach opens up several interesting areas of enquiry. If human nature has the structure of absolute worth, enquiry into the nature of persons is misplaced and should be replaced with enquiry into what sort of persons or what sort of attributes of persons are relevant in judging that one object of absolute worth can be treated in a different way from another. That is, the role of the metaphysical question now becomes the political one of investigating differences between persons and reasons for different treatment of them.

#### Two Kantians.

Among those who have tried to base a purely philosophical account of rational and moral action on a non-normative assumption of human nature, and also to stay within the Kantian account of 'motivation without inclination' I think Thomas Nagel in Possibility of Altruism (Oxford; 1970) is one of the most successful. It would be well to consider this alternative both to the revised Kantianism I suggest, and to the introduction of a normative assumption.



Thomas Nagel.

Nagel's intended conclusion is a defence of other-interested action. His position is Kantian in that it takes as fundamental the opposition between rational and other sorts of motivation, and also because it explains rational and moral motivation in terms of the agent's metaphysical conception of himself. It is decidedly un-Kantian in that it separates rational self-interested action from altruism and gives the former actual and epistemological priority. Motivation is Nagel's central concept, and the motivational element in rational action is a function of the formal structure of reasons. Generality is the central feature of reasons. If there is reason to do something in a certain situation, this situation must be specifiable in general terms allowing the same reason to be present in different but like circumstances. Thus, if there is reason to feed the baby when hungry today, there is the same reason for feeding it if it is hungry tomorrow, and there is also a reason for feeding it if it cries - for if it cries, it is hungry.

Nagel says we must understand reasons in terms of the relation of means to ends. One way of understanding this is to say that accepting there is a reason for doing something is attaching a value to the doing of that thing. Value has generality, and is therefore not time-dependent, so the influence of reasons extends over time. This accounts for prudential action - doing now what is of value because of how it will affect my future. We must, Nagel thinks, accept such reasons because we must look at ourselves not as fragmentary beings, but as living a continuous life all stages of which are stages of my life even though they are not 'now'. My life forms a whole each part of which I, so far as I am rational, must be equally concerned with. Similarly, we cannot avoid seeing our individual situations as examples of a more general pattern in which another may be placed in a relevantly similar situation. I am not only me, but someone in the general scheme of things. It is because we must see others as equally real with ourselves that we can have the interest in others which we do have in ourselves. This involves extending reasons I believe others have to consider my interests into reasons for me considering their interests. All reasons express objective values, and the particular facts of 'now' and 'me' are not crucial features of the structure of reasons but exemplifications of the truth about reasons: that they extend over time by having force at particular times, and that they exist for all similarly situated individuals by having force for any individual in this situation.

It is an assumption for Nagel that all stages of my life are equally mine, and that all other persons are equally real. That is, it cannot be justified in isolation but is necessary if we are to admit other considerations which we are not prepared to give up. It is not a normative assumption. He describes it as metaphysical himself. Its content is the continuity of the experience of one individual and the continuity of all individuals of the same type. It unifies all the presents within a life and all the lives of a sort. But it is no more successful as a metaphysical assumption than Kantian freedom. It is mistaken, and it can ground no substantive moral, or even rational judgements.

It is mistaken, I believe, because my primary conception of myself is not of one with a continuous life some or all of which is of

concern to me. In terms of what I have said already, the fundamental reasons for my motives comprise my interest. This is formed both by those rational principles I share with others, formal principles of negative duties, and those I form within a social framework in particular ways which depend upon my personal needs and experience. When I reflect on my own identity it is this content of interest, I have claimed, the objects and the source of those choices which are truly mine, those I have liberty in making, that I consider. This means that my prior conception of myself cannot be that of a continuous whole, because the identification of myself depends on the knowledge of my interest which makes essential reference to a social context through its universalisable and personal latitude components.

This does not, however, mean that I must then see myself as 'merely one among others equally real'. This would simply open up the spectre of atomism in a different way. To claim that I see me and others as equally real, but as separate beings, each viewing himself as a continuous and not staged life and as an individual among the many, repeats the error of seeing oneself as an atomic life, but now with a larger number of instances. I simply do not conceive of myself 'first' as continuous rather than staged, nor do I conceive of myself as individual 'first' and as one among others equally real 'second'. My primary self-conception concerns, centrally, my interest, and the core of this, of itself, enters me in a moral community.

There can be no purely metaphysical self-conception involving no moral understanding because self-conception cannot help but lead to knowledge of that part of my interest which explains my having moral motives. My suggested normative assumption differs from Nagel's, then, in its explicit normativity and in the concept of the person it suggests. Personal identity consists in a number of universally shared necessary ends and a number of shared necessary ends the scope of which may be less than universal, that is, which may allow for differences between individual communities and personal preference and experience. The virtue of this Kantianism is the content it suggests for the concept of interest, and this content's complex structure as a combination of universal necessary ends and ends whose necessity refers to their existence as social rules or boundaries and not to their particular content, thus allowing great latitude in their formulation. Such substantial content, as we shall see him admit, cannot be grounded by Nagel's theory of rationality.

If we are not convinced by Nagel's metaphysical interpretations, what we are left with is a theory of rational motivation whose success must depend on its validity in a straightforward way. This introduces my second criticism. I agree that reason might be considered as determining action without other intervening motivational factors. However, this would require an explanation not just of how this happens - which Nagel provides - but of how reason, rational determination itself, has a value ascribed to it by its relation to our interest which accounts for our going in for rational determination at all and for our accepting and valuing the results of successful rational determination. Without this explanation of our interest in non-sensuous motivation Nagel's account is open to the criticisms earlier levelled at Kant for his

attempt to prove purely rational determination of will without a concept of interest.

Nagel has no such an account of value. He holds we ascribe value when we accept reasons, and that in doing so we conquer our prejudice towards the present moment and the self: the influence of the reason extends to structurally similar circumstances and to similarly situated individuals. He remarks at the close of the book that this gives no guidance concerning which values in particular we are to promote, what I ought to do. In particular, why we should accept reasons to perform actions determined by pure reason is left unexplained. He does consider briefly the contradiction involved in having objective reasons to do certain self-prefering things, but has no answer. He believes we must look for a subjective judgement upon which everyone agrees; nothing else will suffice because even if we discovered some truly objective principles, subjective disagreement concerning them may occur among individuals.

This certainly indicates the inflexibility of his theory compared with my revised Kantianism which allows latitude in the performance of many 'objective' duties - the positive ones - and to a certain degree in the question of which duties we have. The problem is that Nagel's theory of practical reasoning never could reach substantive moral conclusions. There is no basis upon which subjective agreement could be reached because within his account of practical reasoning there is no true treatment of subjectivity. All reasons possess generality; they, therefore, embody values which are objective. But the problem with assenting to this is that the personal and particular concerns of individuals, who will perform the actions and be affected by them, do not enter into the derivation of the theory of reasoning which attempts to explain how actions are chosen and value is assigned, just as, I claim, they are not reflected in the purely metaphysical assumptions with which Nagel has attempted to 'interpret' the theory. Again, this contrasts badly with the revised Kantianism which allows for subjective preferences in its distinction between different sorts of duties. Because of this, the argument lacks normative implications: reasons are formal conditions through which value can be transmitted because of their freedom from material particularity, and, as with Kant, from purely formal rational structure, however interpreted, no ethical considerations can be drawn. So the theory of value or of the good which he admits he has not provided could not be provided as his position stands. He cannot, therefore, produce substantive moral conclusions, or conclusions concerning rational action in general.

Like Kant's, Nagel's theory fails because of the lack of explanation of our interest in general, and of the relation of the universal in human interest to the particular and personal. Unlike Kant's work, however, Nagel's does not contain the legacy of teleological concepts in terms of which an account of interest could be constructed. He has only his metaphysical 'interpretations' to turn to, and these are no more successful than Kantian freedom.

It will be useful finally to look at an interpretation of Kant which does attempt to derive from his account of pure universalising reason the conclusions concerning moral and rational action which he believes may be derived from it.

Onora O'Neill.

Onora O'Neill (for example, 'Kant: After Virtue', Inquiry 26; Faces of Hunger, London; 1986; 'Consistency in Action' in N. Potter and M. Timmons, eds. Morality and Universalisability, Dordrecht; 1986) believes that Kant's account of practical reason escapes criticisms based on its formalism. The practicality of reason rests in its being brought to bear on what is particular and local. This is expressed in maxims, and these we should understand as underlying intentions: intentions responsible for coordinating an agent's more specific intentions, those governing the particular acts constituting a certain sort of action. Her example here is welcoming someone by making tea. This complex action is constituted by many particular acts - switching the kettle on, fetching cups and so on - and the specific intentions I exercise in performing these acts are orchestrated by the underlying intention of welcoming my guest. Maxims, therefore, are not specific rule-like guides to right and wrong, but quite general expressions of the underlying moral quality of a life. They are general guidelines: categories of virtue. Kantian virtues are those maxims which are moral ones - those explicable as self-development or beneficence. Despite their feature of permanence, as with all maxims the outward expression of virtues in specific intentions and actions varies considerably. Given a view (MacIntyre's, in After Virtue) of modern society as deeply fragmented, O'Neill thinks Kantian virtues, with great latitude permitted in their expression, may be the only sort of virtues available to us. If there is no universal standard of right, constancy of virtues can refer only to the inner underlying quality of a life and not to outward specific actions. Moral maxims are those underlying intentions which are shareable. Universalisation tests which maxims are such that if acted on by some individual they cannot be acted on by one or more others. Thus O'Neill believes universalisability consists in conformity of our underlying intentions - a conformity which cannot be realistically sought by us in our specific intentions and actions. She believes universalisation is a workable test of rationality and so of morality, but that it is also an attempt to show how virtuous intentions must be supplemented by particular ones taking account of the particularities of the world. So universalisation tests whether our maxims are shareable and whether they can be applied in the particular circumstances of the changing world. Specific moral conclusions, then, are derived from underlying virtuous intentions (moral maxims) plus particular premises including those in which specific intentions for performing moral acts are formulated. This does not involve us in relativism because the social settings and practices giving rise to these premises are themselves judged in terms of the underlying virtuous intentions. Kant, therefore, has the means of determining in which particular way social institutions and practices ought to develop. This is determined not in terms of teleological disclosure, or of any other determinate conception of the good, but by the elements of universalisability and instrumentality in his theory which guard against the spectres of elitism and the holding of maxims not practically realisable by the adoption of more specific and particular intentions in the changing world. Thus Kant's formal and



non-determinate theory can ground maxims of virtue and substantive conclusions concerning moral and rational action.

The lack of a determinate conception of the good for man is, according to this interpretation, one of the advantages of Kant's theory as it fits it for the modern world. He can account for the simultaneous existence of a number, and even a conflict of right actions in the world while maintaining an account of value in terms of fixed but very general categories of virtue. It will not, however, do. The difficulty concerns the concept of universalisability and the nature of the virtues.

If the life of the virtues is the life of appropriate underlying intentions, we must ask in what their appropriateness consists. This cannot be in any way a question of their rightness for on this interpretation rightness depends upon virtue and not vice versa. O'Neill says (Inquiry 26 p.396), 'even if we can establish which maxims a person of virtue must adopt we will still not be able to establish that action of any specific sort is morally obligatory. 'Duty is a reflection of virtue on a particular occasion; worth precedes obligation. Appropriateness cannot be explained by rightness. Neither can its explanation rest in any facts concerning the culture or circumstances in which an individual finds himself because traditions and cultures are to be judged in conformity with the underlying moral maxims or virtues: they too are posterior to virtues.

For Kant himself virtuous action is action in accordance with the 'inner' standard of morality: those acts in which we can exercise autonomy through universal legislation. It is action which we can do because it is legislated for by ourselves rather than externally (D.V.379). The contrast between the inward conformity of virtuous maxims and outward conformity is not between maxims and some more specific intentions, as it appears to be on O'Neill's account, but between maxims of virtue and externally legislated maxims, 'maxims of justice'. The concept of virtue gives no grounds for marking off certain maxims as 'appropriate' grounds of more specific action-oriented intentions. Virtue is essentially internalised universalising self-legislation, the inner experience of autonomous determination of will. Of itself, it provides no criterion of appropriateness. It is by looking outside the virtuous quality of a life to the universalising moral law by the application of which virtue is created that we discover what makes maxims correct for Kant: conformity to the law.

O'Neill agrees appropriateness rests in universalisability, but how does her view of universalisability fit with her account of what a virtuous maxim is? She distinguishes states of character from intentions to do specific acts and discusses universalisation only of the former. However, states of character, or virtues, cannot be said to be 'appropriate' if universalisable because such underlying features can only be universalised in so far as they are experienced as intentions to do, to act. Universalisation cannot make a state of character morally appropriate but only show one in what actions virtue would be found; which are morally appropriate. The 'appropriateness' of those states which are virtues must be grounded not simply by universalisability because once we reach this we are at the stage of asking what one who is (already - as demonstrated by the very fact he is asking the question as a

practical one) of virtuous character ought, here and now, to be doing, and not what it is to be virtuous. O'Neill believes that by making virtuous states of character essentially practical - fundamental intentions to do something (though very general and indeterminate intentions) - she gets round this problem: if virtue is a form of intention, it may surely be universalisable. However, though her interpretation seems to accommodate the virtues and the principles of action, maxims, it does not accommodate Kant.

'Moral appropriateness', or virtue, for Kant, is both the pre-disposition towards those ends to which a will under universal law must determine itself so far as it is to determine itself at all, and the actual determination towards those ends (D.V., p. 37; p. 41, 54/5, 69, 71 'Note'). We do not universalise in order to discover virtuous maxims; rather, it is in so far as we universalise that we are virtuous: we are disposed towards certain ends of necessity in universalisation. O'Neill sees that virtue and universalisation are not independently specifiable for Kant, but she interprets this as follows: virtue = indeterminate universalisable principles of action. The truth is that for Kant virtue is both a/ caused by underlying morally good dispositions, and b/ the expression in action of universal law by one who conforms to this in self-legislation (D.V., 379). O'Neill mistakenly identifies virtue with the maxim, that which we seek to universalise; but precisely Kant's point is that virtue is not just the disposition towards universalisation (moral action), and certainly not the object of universalisation, but the condition of one who through universalising legislates for himself. The interdependence of the inner standard on the outer, of virtue upon universalisation, of worth upon rightness, is not explained by understanding virtue as indeterminate and general principles of action, which become determinate and morally correct through a consistency test in a particular situation. It is explained by interpreting the formula of universalisation of maxims (however general or specific to be determined by the content of the maxims alone) as internalised self-legislation in which the autonomous agent discovers ends which must, or must not, be pursued.

Virtue or worth consists in the disposition to self-legislate and the actual conformity of actions with self-legislation. Virtue and universalisability are certainly interdependent for Kant, but not because virtue is possession of moral maxims and universalisation a test of the morality of maxims, but because of the inner experience of one who sincerely follows the categorical imperative and universalises. It is in the internal act of obeying universal law, in autonomy, that virtue consists. This is why it is both pre-disposition and act, for one who is autonomous remains so even when not currently engaged in self-legislating action. So, appropriateness of moral maxims is a matter of the categorical way in which they are given to the self in universal legislation. Underlying shareable intentions are not categories of virtue: virtue is possessed and exercised in the internal self-granting of such intentions, it is not an attribute of them. Virtue is the condition of the autonomous agent in universalising, not the mark of the possessor of universalisable intentions.

I have paid little attention to the detail of Kant's own accounts of universalisation and virtue. What concerns me is that O'Neill's account of these should not be lightly accepted. She wants to find an appropriateness in virtuous maxims which rests on universalisability and which makes no reference to specific right actions - which must also pass the Kantian universalisation test - in the belief this will suit modernity. She wants both to maintain the independence of moral maxims as 'appropriate' and the standards of appropriateness as formal. Kantian autonomy, however, thrusts virtue inside the experience of the agent: virtue in Metaphysic of Morals is inward conformity to law, and the resolute disposition towards this conformity. Universalisable maxims and virtue cannot be identified for Kant both because virtue is dispositional while universalisable maxims are particular, and because the 'inner' experience of virtue is had in particular acts of self-legislation while moral maxims, through their universalisability, are general. This contradiction in Kant is resolved by the dual nature of virtue as pre-disposition and act, and the fact that universalisable maxims, though general in their scope, are freely chosen by agents. As I have explained, I accept neither that the law conformity with which is virtue can interest us as Kant has described it, nor the Kantian doctrine of freedom. I do not believe we can save Kant without fracturing his theory; thus I have fractured it.

On my account, moral maxims are particular though fundamental intentions which yet do not go deep enough to express the underlying moral quality of a life. We still need to ask one's motive in welcoming a guest. And then we may try to discover my reason for holding this motive. We can go all this way down when we are interested in reaching the fundamental 'quality' of an individual's life. 'Why act on this universalisable maxim?' may entail an exploration of those personal duties of latitude and those components of interest which do not have the character of duties at all. It is these features of a human being, as well as his recognition of the need for conformity with universal law, which 'fit' him for a moral community. The moral quality of a life runs right down through the detail of individual interest, it does not rest at the individual's conforming with universal law through holding shareable and realistic maxims.

This concludes my investigation of Kant. O'Neill does not convincingly show that it is possible to draw from his premises the substantive conclusions Kant believes can be drawn. She believes these premises already contain all that is necessary, but, I have claimed, this relies on an inaccurate interpretation of Kantian universalisability and virtue. Thus Kant is undefended against my criticisms, and my 'revised Kantianism' remains as my best attempt to reconstruct Kant. However, even if it is accepted, Kant has simply explained the possibility of a certain motive to action - pure reason - through a concept of interest understood as a personal conception of the good whose content is either determined teleologically or assumed. This would not be a theory of rationality to make all other theories redundant; it leaves the interesting questions of why motivation by this non-sensuous factor, 'pure reason', is rationality unanswered because they could only be

answered by a thorough examination of the concept of interest suggested, and this is something which does not occur in the Critique. The failure to produce the concepts of an 'absolutist' theory of rationality, which I believe Kant must have if his theory is to survive, suggests the failure of the conception of theory as acquisition of (timeless) knowledge, whose finest product theory of rationality was to be. Theory is not acquisition of knowledge, and rationality is not the universal structure of the knowing mind.



## Chapter Five..

The most important source for the concepts of present day philosophical thought about rationality is utilitarian theory. In this chapter we are not dealing with a specific theorist, or one school of theory. Utilitarian influence cannot be traced to any one source in the way theory of virtue, classical Natural Law theory or Kantian theory can. Consequently my method here will not be historical, but an examination of certain features of utilitarianism which appear centrally characteristic of at least the more well-known varieties. I will also examine concepts of certain non-utilitarian theories which appear to me to have arisen and gained support only in opposition to the challenge of utilitarianism. This piecemeal treatment of contemporary moral philosophy is, I think, the only possible one given the fragmented nature of the present debate.

Utilitarianism, like Kantian thought, implies that some part at least of rationality is universal for all rational beings. It is for this reason that, however fascinating and sensible an approach it may have been to social and political problems of nineteenth century England, a utilitarian account of rationality ought to be rejected. There is a distinction between the explanation of, or by, principles within a conception of rationality and the explanation of how these principles came to be: it is possible for principles within a conception of rationality to function as explanatory and justificatory norms and for the success of these principles to be criticised from outside the conception because of their implications, or the means of their establishment. We can criticise principles of a theory of rationality, even popular ones, if, for example, they fail to base practical reason in shared activity: if they are absolutist. Utilitarianism must be rejected for just this reason. It involves the claim that some part of rationality obtains in independence of the historical facts of the principles of particular communities.

Utilitarian theory involves a deep misconception of theorising about the practical. The utilitarian believes that with his quasi-scientific calculus or measure of action he accounts completely for the practicality of moral and technical activity. However, the utility calculus can never achieve the status of certain, protected first principle/s, because, as I shall argue, there are no first principles of morality whose primacy is beyond revision. As the calculus aspires to, but has, no certain status, the theory basing morality on the calculus cannot be correct. Instead, I shall argue that the practicality of morality consists not in the 'practical' content of its principles but in the very activity of theoretical construction in which these principles are established.

The utilitarian and those who define themselves in opposition to him ought to acknowledge that their debate is not a tortuous means to some truth of the matter, but itself the truth of the matter. The project of theoretical enquiry that is present philosophical debate over practical rationality should not be conceived of as a rivalry between, for example, Kantianism and utilitarianism as to which is the true position, but as an attempt to construct from the elements of these theories current in contemporary social and individual

thinking, and from other strongly opposed theoretical norms, a position whose reasonableness is a feature simply of the enquiry which establishes it. Aristotle's theory of virtue and Aquinas's theory of natural law, unlike some later parodies, do not seek to demonstrate a standard of rationality independent of their own enquiries. Instead they present accounts of rationality which explain first principles respectively as established dialectically and in accord with shared standards of understanding and practices, and as established by theoretical activity (establishment through intellectual enquiry; self-evidence of established principles to those within the community of enquiry). Utilitarianism attempts to construct a concept of the practical as achievement of ends by means of a universal logic of action rather than a concept of the community as the forum in which an understanding of the practical can be reached through the activity of enquiry. It fails in its conception of action and in its attempt to establish favourable states of consciousness as the ends of action.

I begin by considering the main features characteristic of most utilitarian theories. I will consider pleasure and happiness, maximisation, common or non-philosophical morality, needs and benefits, the ideas of social contract and harmony, utility and rights, the notion of a science of ethics and the ill conceived picture of morality as a set of practical rules or guidelines. Criticism of utilitarian theory will conclude with a rejection of this account of rationality and will lead to an attempt to explain morality as the standard means of communication of particular communities concerning their everyday shared lives. A morality, I will explain, is to be evaluated by a standard external to itself, but which is the reason for, and the goal of, (any) morality's existence. This standard I will call ethics, explained as the communication of individuals as individuals and not as role-structured. At the level of experience it is discovered in the form of charity, or love. Morality, like rationality, I hold, is nothing more than the dynamic norms of particular communities; but unlike rationality the principles of morality are evaluated not just by their explanatory success over alternatives, but also by their success in bringing about the experiences which are fundamental to individual human beings, that is their communication with others at the purely individual, and not the community membership, level. Since it is not my aim here to provide a definition of utilitarian theory, I will simply sketch the main features before beginning to discuss them. Classical utilitarianism is based upon the belief that we ought to increase pleasure and to decrease pain, adopting the most efficient means in our circumstances for increasing pleasure. Most utilitarians now would reject this grounding belief and explain their theory in terms of desire or preference satisfaction. This allows for a more realistic and flexible psychology, an account of personal dignity and autonomy, and the reasonableness of acting to achieve that to which we attach value. It seems to me, however, that the justification of preference utilitarianism rests ultimately upon the concept of psychologically basic and normatively fundamental values of pleasure and pain.

The second general feature of utilitarianism is the division between actor and intention in agency. The rationality of my action is determined by the reasonableness of my intentions seen as a function of the utility of my aims. It is not the effectiveness of my intentions as a means to my pleasure, or that of those close to me or like me, which determines their reasonableness; but their effectiveness as a means to pleasure per se. From the belief that I ought to act so that pleasure per se be increased it is easy to deduce that I ought to act so as to lead to the greatest general increase of pleasure (I ought to act so as to cause as much pleasure as possible is said to imply I ought to act so as to cause the pleasure of as many as possible). This thesis must answer, then, not the familiar difficulty of how another's good is sufficient to motivate me, but the problem of how pleasure, the concept of the good, by itself is sufficient to motivate me. If it is not my, or our, pleasure which is determinant of rational action, but simply pleasure in itself, what is the explanation of agency? How does the agent form intentions in the light of his good if his good is severed from his values and needs and is simply the good as such?

Most distinctive of the traits of utilitarianism is its concern with increase or with 'upping', the desire to maximise, optimise, satisfy or generalise something. Utilitarians cannot truly encourage stasis - aesthetic, contemplative or imaginative - as such, but hold that even such activity ultimately has value only because it exercises our potential for increasing, enlarging and bettering. Utilitarianism is a restless prescription for life: it bases its concerns upon nudging sentient life ever upwards, always in search of more value, never acknowledging value in terms other than achievement. If utilitarianism were true, then however righteous, we would not be acting morally unless enlarging the stock of value. Such a life could not even allow for the expression of forms of value which are not achievements. The language of utilitarianism is value-reductive; but values cannot be reduced.

Apart from its major features, utilitarian theories share certain other characteristics which help explain their large-scale acceptance. At first glance utilitarianism appears a straightforward and accurate analysis of non-reflective morality, in accord with those moral feelings generally admired. It seems sensitive to the sentient side of human affairs, and even to non-human sentient life. It seems to explain what is right about satisfying our desires and achieving the objects of our deep needs, and to provide a method for coordinating the multiplicity of satisfactions demanded by any society. It seems to some (T. Sprigge, A Rational Foundation of Ethics, London; 1987; J. Sumner, The Moral Foundation of Rights, Oxford; 1989) that those rights which we must acknowledge are both justified by contemporary versions of utilitarianism and correctly understood as conditions of a well-functioning utilitarian society. Utilitarianism can, then, appear well qualified as a theory of social life. It harmonises the explanation of personal rationality, rationality of action, with the explanation of right social and moral decision making, borrowing this harmony from the unity of its conception of practical reason as efficient utility maximisation in all circumstances.

### Pleasure and Pleasurableness.

'Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do as well as to determine what we shall do.' (Bentham, An Introduction to the Principles of Morals and Legislation, eds. J. Burns and H. L. A. Hart, London; 1970, p. 11). Bentham not only thought that pleasure fundamentally mattered, but that only pleasure mattered. 'Now, pleasure is in itself a good, even setting aside immunity from pain, the only good: pain is in itself an evil; and, indeed, without exception, the only evil.' (p. 100) Mill believes that the 'theory of life' upon which utility is grounded is that 'pleasure and freedom from pain are the only things desirable as ends; and that all desirable things... are desirable either for the pleasure inherent in themselves, or as a means to the promotion of pleasure and the prevention of pain.' (Utilitarianism, ed. M. Warnock, London; 1979, p. 257).

If we are to admit the idea of the intrinsically desirable at all, it seems bizarre not to extend this to pleasure. However, perhaps pleasure should be seen as a factor which implies the category of the intrinsically desirable rather than a candidate which either does or does not qualify for it. Bentham says pleasure is in itself good and pain in itself evil 'or else the words 'good' and 'evil' have no meaning' (p. 100). Perhaps then the truth is that 'pleasure' can be used in such a way that it is part of its meaning that pleasure is explanatorily basic and sufficient in explanation of action, that 'good' and 'evil' are fully understood with final reference to it, but that it is also possible that 'pleasure' not be used in this way and instead, for example, eudaimonia fulfil the role of pleasure in our explanations of action. The basic explanatory categories of societies are not all the same, and categories like pleasure and eudaimonia may have in common their capacity to serve in explanations in which all other categories, including the other (that is, pleasure or eudaimonia), are reducible to the basic one. However, when we look at the concept of eudaimonia we have a theory of rational action worth considering, especially if, as I have suggested, it does not entail absolutism. What is the theory of rational action behind the utilitarian concept of pleasure, and is the concept acceptable?

The claim of pleasure to be the fundamental determinant of right action is a claim about what is basic, and it is an empirical claim. Aristotle establishes the claim of eudaimonia dialectically and the concept demonstratively; Aquinas establishes Beatitude through the theory of the continuity of the Natural Law with the Eternal Law; Kant derives the categorical imperative from formal features of reason; the utilitarian appeals to pleasure as a basic good, and establishes its claim by its explanatory success. It is the motivational role of pleasure in desire and behaviour which implies its potential as determinant of rational action; and it is the basicness and universality of this feature of motivation in desire and behaviour which suggests the moral rightness of acting so as to increase pleasure. The appeal to the equal applicability of pleasure in rational, especially self-interested, action and in moral action is the reason for much of the attraction of classical utilitarianism. However, for this appeal to succeed there must be widespread belief that pleasure can and does motivate personal and



moral decisions, and for this there must be substantial and accurate agreement on the identification of pleasure. Without this, the empirical appeal to the basicness of pleasure in explanation would not succeed.

The common sense view of pleasure is of a sensation which is repeatable, yet is linked to appreciation of different sorts of objects. We take pleasure in things of very different sorts; we do not work to create pleasure in ourselves through or by means of things. It seems true that even when the objects of experiences are very different, the qualitative difference between experiences of pleasure, except for those at the extreme opposing ends of the pleasure-displeasure spectrum, is often either indiscernible or speculative. Thus there seems to me to be no difference between the pleasure at seeing tonight the friend I see every few days and the pleasure of drinking ground rather than instant coffee. This verification by introspection confirms the thesis that pleasure is a repeatable sensation, a thesis which wars with the other component of the common sense, sensation, view, that pleasure is not just created for ourselves by ourselves but is taken in things of different sorts as our way of appreciating them. However, inability to discriminate qualitative difference may be nothing more than that: our inability. Unlike pains, pleasures do not burn themselves into our memories or take over the whole space of consciousness as they are felt. It may be that only extreme differences in pleasures and differences which I have reason to register because of the importance of the objects to me are apparent. The view that pleasure is a repeatable sensation found in appreciation does not commit us to the view that pleasures are qualitatively identical, though it does imply that many pleasures are not qualitatively distinguishable.

The view of pleasure as a sensation does have drawbacks. If we imagine a scale of sensations rising from faint disturbances to violent spasms, we must be able to imagine the corresponding objects and activities in which pleasure is taken situated on a similar scale rising from, for the individual, the routine though mildly interesting to the engrossing and extraordinary. Despite differences in the scales caused by individual past experiences, memories and interests, each model will be causal: to some degree, there is a correlation between a pleasure experience and its cause, that without which it would not have been. However, a cause-effect relationship is not plausible as an analysis of pleasure. Nozick (Anarchy, State and Utopia, Oxford; 1974, p. 42) showed how far fetched it would be to talk of the pleasurable of experience apart from the activities of a full human life. Ryle ('Pleasure', Dilemmas, Cambridge; 1954) showed how odd it is to contrast the experience of pleasure even conceptually from that which it is pleasure in or at: the pleasure of going for a walk is not caused by the walk as a tickle is caused by the grass I walk barefoot on. This contrasts with pain which we can separate successfully from the cause of pain. We can also make qualitative distinctions between pains which are not at extreme ends of the pain spectrum and in which we have no vested interests or memory claims. The pain of indigestion, for example, is reasonably similar in intensity to the pain of a headache, but the felt quality of these pains is quite distinct. Pleasures, unlike pains, cannot be thus distinguished and

cannot be separated from their objects in a simple analysis of two components with some sort of causal relation between them. An account of pleasure must take into consideration the fact that pleasure is not something that can be successfully aimed at in itself. I may increase my understanding of the Mozart piano concertos in order to have again the sort of wonderful experience I have had in listening to the familiar twenty first concerto, but I cannot study Mozart's works in order to pursue pleasure. These two objectives conflict. I may want pleasure, and hope to get it, but I will not get it if I aim simply at it, considering the Mozart concertos as a means to it. This is not only a point about the relation between pleasure and its object, but also a feature of the motivation of pleasure. It cannot be sufficient motivation to action. Actions motivated by desire can be done purely because we want to do them; actions motivated by pleasure cannot be done purely on the motive of pleasure: at the very least they are done because of desire for pleasure. Pleasure is 'a motivation' towards action, but it does not motivate, if by 'motivate' we mean 'act as sufficient motivation'. Because it does not motivate in this sense, it can never be aimed at directly as the satisfaction of a desire can be aimed at directly, but only through the focus of some 'hot' motivation such as desire. Any expression, 'I am doing y for the sake of pleasure' means 'I am doing (pleasurable) y' where the character of y explains why we are doing it, but not wholly in terms of y's pleasurable-ness.

To be motivated to act I understand as being caused to act. When motivated by desire the strength of the desire to do as we want to do may be such that it causes us to do it either without further reasoning or irrespective of any further reasoning. This is not failing to act for a reason, as we do when helplessly impelled by desire: it is a low-level reason identical with the motivation involved in the case; it is acting sheerly because we want to. The various degrees and patterns of reasoning in which motivation and reasons are distinguished are not my concern here. What I want to show is the difference in the role of pleasure as motivation. Pleasure could not be even a low-level reason for acting; it could not be motivation in the broad sense in which the motive is sufficient (reason for) action at all. When desire causes us either to act or to consider action, we are in a state of wanting; when pleasure functions as motivation, we are not in the grip of pleasure, but suitably excited at the anticipation of pleasure. In those cases in which the motivation of pleasure does lead to action what happens in straightforward cases is that the idea of a particular pleasurable experience or activity causes us to form the desire for this experience due to a/ memories of similar experiences, and b/ the desire for the pleasurable sensation this experience promises; this desire may then cause us to act or to consider acting so as to have this experience. The motivational role of pleasure is restricted to the idea of the pleasant activity (which motivates only due to other beliefs - a/ - and another desire - b/ - and then only motivates a desire), and - in b/ - the sensation of pleasurable-ness (which helps motivate the desire to act so as to bring about the pleasure experience only because it is itself desired). The ambiguity of 'motivation' should not lead us to

equate the roles of pleasure and desire in action. Their logics are quite different.

If pleasurable as a quality of experience can be operative as a contributory motivation towards doing what will give us such experiences though it cannot itself motivate us to do what will achieve them, it seems we can separate pleasurable from the full experience of involvement in pleasant activities, at least in order to understand how anticipated pleasure motivates. In fact, we can separate them upon firmer ground than the need to understand the motivational role of pleasure. Pleasurable need not exist in all pleasant experiences: the pleasure of having a walk need not consist in being in a continuous state of felt pleasurable; and pleasurable, unlike painfulness, can exist apart from pleasant experiences. Pleasurable is a sensation which stands in the same relation to pleasant experiences as imagining stands to seeing. We can only see an orange if there is one, the light is good, our eyes open, but we can visualise an orange in any conditions: visualisation depends only upon past experiences of seeing oranges, and can happen at will. Similarly the sensation of pleasurable relies upon previous experiences of involvement in pleasant activities (activities in which there is absorption and which tend to produce the sensation of pleasurable) but can be obtained at will, when we remember these past experiences or anticipate future ones we expect to be pleasant. So when the conditions are not appropriate for providing us with involvement in pleasant activities we can still experience pleasurable, just as when the conditions are not appropriate for seeing an orange we can still imagine oranges. The difference that pleasurable is more likely to be felt unbidden does not seem important here. The fact is that pleasurable, the constituent of the complex, pleasure, which has partial motivational power, can be felt in independence of full pleasant activities. We might express this by saying that the anticipation of the sensation need lack nothing that the felt sensation caused by an actual pleasant experience possesses: although not every anticipation of the sensation involved in pleasure feels like the sensation itself, such anticipation can feel like the sensation.

If this is correct we have an account of pleasure which is more complex than the common sense view, but retains some of its features. There is indeed a sensation involved in pleasure, but there is more: there is a structured involvement of a certain sort in particular experiences or activities. The sensation aspect, pleasurable, may be susceptible to different degrees of qualitative distinction when it occurs within the context of individual pleasure-giving activities or experiences. However, when we experience the sensation outside the context of these activities, as anticipation, memory or unbidden feeling, it appears to be identical on every occasion, losing this identity only when it is differentiated 'from outside' by the imagining of, or experiencing of, pleasure-giving activities. The sensation itself does occur in an undifferentiated, but identical, and identifiable, disturbance of consciousness. This account explains why pleasure appears to be both separable from and caused by what we take pleasure in, and also constituted by it. It also sketches the role of pleasure in motivation. It does not imply there is not substantial agreement

concerning the nature of pleasure, but suggests the common sense view, which seems content to exist with ambiguity, contains no more than the seeds of a correct account, and is susceptible to the exploitation of its ambiguity. I said classical utilitarianism would require widespread agreement on the identity of pleasure in order to ground an empirical appeal to the explanatory basicness of pleasure. My account suggests widespread agreement, and so a successful empirical appeal, are unlikely. To refute the case of classical utilitarianism I must also show that no theory of the explanatory basicness of pleasure could be constructed.

Even given that we do not aim at pleasure in our actions, some may be tempted to say that it is fundamentally pleasure that we seek. It is difficult to understand what this might mean. If it means, a/ that we ultimately seek nothing but pleasure, it is simply wrong. Pleasure is not satisfaction of desire. Someone may pursue the apprehension of war criminals all her life because of a passionate commitment to natural justice, and no one can correctly reduce her aim to pleasure. It may, however, be that she is pursuing this project because she wants to very much, even if she does not recognise or acknowledge this desire. It cannot mean, b/ that ultimately our only motivation is pleasure, for I have already claimed that pleasure is never a sufficient, but only ever a contributory, motivation. It cannot mean, c/ that it is participation in pleasurable activities that we seek in all our actions, because there is at least one class of actions - actions done purely because I want to, done to satisfy a desire - which is not aimed at this end. It seems to me that the grounding of rational action in psychological motivation in the form of pleasure is a particular example of the general error of grounding rational conduct in motivation theory which so many have admired (see E. Anscombe, 'Modern Moral Philosophy' in Hudson ed. The Is-Ought Question, London; 1969; Nagel, Possibility of Altruism). The argument of this thesis should illustrate this error.

#### Pain and Suffering.

Many utilitarians, despairing of the hedonist premise, have based their theory on the belief that right action is determined by considerations of the relief of pain and suffering and prevention of future pain and suffering. Nothing, however, could be more misconceived as first principle of rational action.

Much of the attraction of this position comes from the unjustified coupling of pain and suffering. It would be best to say that pain is a sensation, but suffering is not. We will come to prevention of pain; let us consider suffering first. It would be next to impossible to find a reason for disagreeing with the proposition that one who encounters the suffering of another ought always to help. This proposition has an immunity from moral criticism which suggests not that it is basic to morality, but that it has a necessity anterior to moral basicness. I will try below to explain this necessity as a feature of linguistic communication, and this communication as the successful expression of charity, the basic experience of being human at a pre-moral level. We can understand why the relief of suffering has such necessity if we consider that the true demands charity places upon us to help and relieve are in themselves inexhaustible: every waking moment of a life may be spent in the relief of others, yet not even in the final moments of such a life



does it cease to be the case that we ought to continue to work towards the relief of the suffering of others. It does not, however, follow that it is always wrong to fail to do so. In themselves the demands of charity are without limit. When, however, they are experienced through the practices and institutions of a morality, the explanatory frame of a particular community, these demands will be mediated through a system of responsibilities and freedoms which will be both an interpretation of them, and will limit their necessity in order that we may lead a full life in accord with the standards of our society. The prevention and relief of suffering is a basic, and a universal, requirement, but it is not morally basic, and it requires moral interpretation.

In order to clarify just why something we might all feel inclined to describe as a touchstone of morality is not a basic moral principle it will be useful to briefly anticipate my account. In accordance with the understanding of rationality as the theoretical enquiry of a community proceeding from particular norms and concerning whatever subject matter the previous history of such enquiry has introduced as topical, and with the notion of theory as activity, I will present a conception of moralities as the forms of explanation current in particular communities, mediated by individual habits, institutions and practices, by which the members of those communities understand and justify their actions at the level of everyday affairs. This conception is in debt to Wittgenstein's notion of practice, his belief in the interrelatedness of concepts and methods of explanation in the contingencies of forms of life, and the extension of Wittgenstein's thought by such as Rorty (Contingency, Irony and Solidarity, Cambridge; 1989), Holiday (Moral Powers, London; 1988), McCabe (Love, Law and Language, London; 1968), and Lovibond (Realism and Imagination in Ethics, Oxford; 1983). This conception of morality, I claim, does not rule out, but relies upon, a timelessly valid standard of action rooted in the utter unavoidableness of charity, experienced most obviously in love. Moral standards develop not because we are too weak to live a life of pure charity without them, but because as essentially communicative creatures, creatures whose nature is language, we are required not merely to help create and to enjoy the highest possible forms of life, 'the life of love', but to construct these for ourselves through particular historically conditioned communities. That is, we explain, understand and justify not only to reach beyond ignorance and uncertainty and to solve our practical problems, but because doing this is what human life consists in. What distinguishes human life is not the perfect communication and understanding of individuals, but the communication of individuals through the contingent linguistic structures of their communities, including those which mediate an interpretation of love. Charity is criterial for us, but it is not one of our goals: it is moral action that is the indispensable mark of a human life. This character of charity as sufficient determinant of conduct but insufficient mark of a full human life clarifies the point that the demands of charity are inexhaustible though failure to always pursue them is not wrong. The point is that in such action expressive of charity as the relief of suffering we have conduct

which is not just admirable and required, but whose necessity is a feature of charity as interpreted by a particular morality, and this interpretation will always limit the inexhaustible demands of charity by the obligations and responsibilities of the standards of the morality.

Relief and prevention of suffering, then, may even be the determinant of all right action but they are not morally basic for it is not necessary that every morality advocate them as the ground of every moral action. I agree in a sense with those utilitarians who give prevention of suffering priority - not because it is morally basic but because it is one expression of that bonding between humans which it is the role of morality to interpret and to balance against the norms of conduct as these have been historically constructed within moral communities.

Those who claim the basis of morality is the reduction of pain are on more infirm ground. The sensation of pain - unlike the experience of suffering - is something all reasonable people have to insure against. Those who have intuitive certainty that this is the worst felt human experience may be correct, but this implies neither that it is the worst experience for a human being nor that the relief of pain is the most important requirement of admirable human life. Those who hold the latter generally do so because they believe that even in the cases where pain brings about a good result, such as the understanding and acceptance of vulnerability which serious illness and deprivation alone can bring, pain is always an evil because of what it is like to experience it. Pain certainly always hurts, but the assertion that the sensation of pain is pure hurt, nothing but hurt, tends unjustifiably to lead to the opinion that its diminution is the aim of all constructive conduct: hurt becomes a synonym for evil and wrong, and is thus easily placed in opposition to good and right. However, because we feel pain as hurt and hurt is bad is no reason to make prevention of pain morality's goal.

We can compare pain's hurt with death's. Death hurts because whether met gently or in fear it requires total aloneness: if another could walk with us over the death moment, accompanying us into dying itself, we could suffer death without its hurt, and there would not be the same cause to fear death. This cannot be done, but we take the evil out of death by making it a moment of reconciliation, understanding and peace. A tranquil death will hurt, but the hurt does allow tranquility. Pain hurts primarily because the sensation of painfulness excludes totally enjoyment of itself: it is never, even partially, qualified by pleasantness; and also because it tends to limit our participation in enjoyable activities and sensations. If we could find some pleasantness or involvement with pain, it would lose its hurt; but this is impossible. However, we can, by introducing other forms of enjoyable experience or sensation to the person in pain, reduce the evil of pain, and, by discovering, perhaps new, value in these experiences, even abolish its evil. The possibility of taking the evil out of pain by introducing involvements which reduce the hold of the consciousness over the person means that pain is not the antithesis of good. Only utter agony excludes the possibility of any enjoyment whatsoever, and as protracted agony is rare, pain reduction is unlikely to be morality's goal.

The tendency of utilitarians to view pain as unnatural, something of such worrying significance that it must be removed at all costs, is a misunderstanding of our nature, and of what it is to be natural. We are animal creatures in a natural world, and so will suffer. The natural world does not run by theoretical principles of order and perfection. It comprises at the animal level different species with individual members of great numbers. The individual differences between species and between members of same species create such possibilities for the flourishing of one at the expense of the other that pain and suffering caused by animal consumption is always with us, not as grievous injustice but as the obverse of being natural creatures and of being animals. And this is so without considering inanimate natural phenomena which in their unpredictability always signal the occurrence of pain for animals. The only alternatives to being animal and pain-suffering would be to be inanimate and without experience or to be non-natural, an artificial construction, and thus not to feel pain but also not to feel anything we had not been constructed to feel. The point of giving an explanation of pleasure, pain and suffering is to show that the utilitarian's use of pleasure or relief and prevention of pain and suffering as the determinant of right or rational action is wrong. Having done this to my own satisfaction, I will consider the next feature of utilitarian theory which is what I have dubbed 'upping'.

#### Maximisation.

By 'upping' I mean the belief of utilitarians that right action is action which increases the good by maximising, optimising, fortifying utility. The idea that moral action is action which achieves something, which pushes ahead and adds to the sum of goodness lies behind more than utilitarianism. All the leading moral philosophies of our age are concerned not with being good but with doing right. They are 'practical', but are severed from the virtues and so from the context of goodness. The sophistication of cross-cultural communication has made this concern with rightness inevitable: when we face others of different moral cultures the question to be asked is not 'what ought I to do to improve my own character and the outlook of society?' but 'what, given the multiplicity of moral outlooks with which we are faced, is the right thing for one to do in these circumstances?'. This shift is necessary given the meeting of cultures and the great availability of information about so many of the world's communities. What is regrettable is the movement in this process away from any context of good. The criterion of moral rightness of action does suggest a standard of behaviour common to all and independent of moral community, but it is a standard which cannot be reached for there are no universal norms given the dialectical nature and history of rationality. Rightness cannot replace the life of the virtues. The alternatives are to try to resurrect them in Aristotle's form as MacIntyre does, or to replace that form, as I try to do with the conception of a pre-moral dimension of human life as the necessity of communication, known in our experiences of love. Utilitarianism shares in the vision of morality as right action, and grounds this in an invariable psychological value which allows the utilitarian to claim for his right actions and the calculations

leading to them the name of rationality. As well as the difficulties with this account of value, the utilitarian asks us not only to accept the account of right action with no further regard to the context of the good, but holds that the distinctive nature of moral activity and the test of moral character is the constant readiness of the agent to submit his judgements and intended actions to the measure of utility. The perfect moral agent is the fully efficient reasoner. Even if the utilitarian allows that on most occasions utility will best be served by not performing utility calculations but by acting in accord with common sense or common opinion, he will still have to ask that on every occasion the agent remain diligent in order to be able to determine whether his next action is one for which calculation is required or whether it is again one in which he may trust common sense. It is the necessity of the reasoned search for the highest, the most or the best satisfaction as well as the basic necessity of enjoying the satisfaction that is characteristic of utilitarianism. This moral philosophy could not have remained in vogue if it had not the support of the common sense belief that though there may be many goods I pursue here and now, there is one which it is particularly desirable or sensible to pursue. This explains the attraction of the utilitarian's conviction that we can make rational choices, choices continuous in their determination with the most serious of moral choices, right down through even the most everyday trivial matters; and the attraction of the idea that practical reasoning is required constantly in the moral life and is ultimately what is praiseworthy.

The 'upping', or maximising of modern utilitarianism introduces a number of theories of the value to be increased. What interests me here is not the measure of utility but the view of reasoning and of the agent herself as utilities: moral and practical life and the reasoning through which it is lived have value with respect to their degree of efficiency and to nothing else. It will be well to briefly indicate the contrast between this view and the view of rational moral action held by someone like Aquinas. For him rational action is performed for the sake of eudaimonia, but eudaimonia is neither something which any one morally right action can give us nor something ultimately granted as reward for right action. It is not the former for it is a lifetime of activity (this is the notion of Imperfect Beatitude); and it is not the latter for action which is right is action which realises eudaimonia. Instead Aquinas believes that eudaimonia is both constantly postponed and endlessly realised through virtuous life just because it is participated in in every right action. In so far as we are souls heading towards Beatitude eudaimonia is postponed in right action; in so far as we are embodied moral/social beings it is realised in right action. We are both fully happy and incompletely happy in acting morally: we have the happiness constituted by doing good, and postpone the happiness which will be the consummation of a life of goodness. Utilitarians claim that for every action we perform there is some right choice which will lead to us, or everyone, the world in general, experiencing slightly more happiness or satisfaction than it would otherwise do. The world's or a lifetime's happiness is something which proceeds piece by piece with every individual choice, some of which are of negligible importance or effect. A happy life in the sense of a life which at some level is one of deep



contentment does not exist for the sincere utilitarian. His life is a pattern of ceaseless choosing by which he intends to further his life's own value, and this pattern is followed by the utilitarian for as long as he remains a moral agent.

Utilitarian happiness cannot be the activity of creating happiness units because right action is that which successfully maximises them. Indeed, utilitarians often think, as Sidgwick did, that the activity of maximising can be a bad thing. If everyone in our society were to pursue maximisation, this might lead to less overall happiness than if many continued to follow common sense beliefs about fairness and justice. Utilitarian happiness also cannot consist in the possession of the maximum happiness units at one specific time or in one specific situation, for the very next choice to crop up may present the reasoner with a totally unconnected state of affairs in which he must start once again to maximise his units. For example, the joy of passing the exam is succeeded either by the joy of going to the party or by having dinner with my parents; this choice demands that attention be given to new data and a reassessment of alternatives which will allow us to see which course will most further happiness, and in this task the happiness of the exam victor becomes again only one unit within the calculation of the present choice. It retains no privileged status as the result of a previous well-made choice.

So, despite his official elevation of the value of happiness as the determinant of rationality, the utilitarian can neither anticipate a state of happiness beyond the happiness of the present moment, nor enjoy happiness as the activity of increasing happiness units. This does not mean that he has no concept of happiness, but that it is a shadowy concept: it is neither quite utilitarian activity nor quite what is achieved by any particular piece of such activity. Instead it must be understood almost atomistically as 'specious present' enjoyments, which have been won in the correct way by efficient reasoning. The utilitarian wants to say that this conception of rationality - reasoning which causes efficient gains in utility - and the conception of the universal value of the unit of utility - pleasure, priority preference satisfaction or whatever - allows for a sufficient degree of unity and coherence of individual human lives despite the atomism of the theory. Happiness is not cumulative - for the utilitarian aims not at a lifetime of happiness but at a general increase of happiness - but human life gains intelligibility and unity not through growth and activity, but because of the structural features of efficient calculative reason and the permanence and universality of utility value. The logic of this practical means-end reasoning in which utility is achieved in this insubstantial and piecemeal way is the 'upping' tendency in utilitarianism.

Contemporary utilitarianism has produced a whole industry of descriptions of the maximisation process which move far from the ideas of Bentham and Mill. For Bentham the procedure of maximisation is secondary to the procedure for establishing the value of particular pleasures by their satisfaction of various criteria of the importance of pleasure; for Mill there are higher and lower pleasures, and we must respect the judgement of those with experience of both as to which is the most worthwhile. Bentham understands pleasure as a sensation, and the agent as able to

distance himself far enough from the pleasure to gauge its importance. This is unacceptable given the nature of pleasure as more than just sensation. Mill must be wrong because if not all pleasures are qualitatively identical - if we are to take into account the activities in which pleasures are realised - maximisation ought to involve not only reckoning of the value of different realisations of pleasure, but of the complex of intensity of pleasurable sensation and degree of involvement with pleasant activity. But there is no such complex account of value in Mill. He writes as if the agent can detach himself from higher and lower pleasures and assess involvement with each as a means to determining the degree of pleasure to be expected from each. But a Millian theory of practical reasoning would have to involve not consideration of types of activity to assess expected pleasure, but consideration of pleasurable activities as regards overall pleasure, consideration of pleasant sensations as regards overall pleasure, and rational comparison of both. Only in this way could the insight that there are higher and lower pleasures, pleasures valuable because of what they are and pleasures valuable because of pleasure, be preserved. Mill's distinction actually postpones the construction of a theory of utilitarian practical reasoning by failing to compare the role of pleasure as sensational experience and pleasure as structured involvement, thereby delaying any real contrast between the value of felt experiences and diversity and choice of activity in the full life.

From the many contemporary accounts of maximisation available I choose one by Timothy Sprigge. This explains maximisation within the context of an account of happiness, and has the advantage of understanding practical reasoning not syllogistically but as the pursuit of psychologically satisfactory experiences, a content consciousness, because of the vital role of this in a happy life. Sprigge (p. 191) is particularly aware of the problem of confronting happiness from within a utilitarian perspective. 'Should we think rather of the value of pleasures and pains as determined by the way they affect people's happiness?' He holds that happiness is neither a sum of pleasures nor a balance of pleasure over pain, but a state the quality of which is related to the happiness or unhappiness of its surrounding states. Happiness and pleasure as states of consciousness are, he thinks, the same state. However, to experience a number of pleasurable states does not thereby amount to a corresponding state of happiness, because each instance of a particular pleasurable state is affected by the particular experiences around it. We experience happiness only where our whole stretch of experience is pleasurable. 'The overall happiness is not a function of some atomic elements out of which it is composed. It may be truer to say that the overall experience has a total hedonic character of which individually discriminable elements are inseparable aspects' (p. 193). So happiness is 'a pervasive quality of experience as a whole' which makes its elements pleasurable or unpleasurable rather than a state arising from the pleasantness of discrete experiences. He gives an example of looking at a beautiful picture which is an individual pleasurable experience. What really matters is not this experience, but the overall experience of my consciousness, in particular whether or not it has that overall pleasurable quality which is happiness.

This is sensitive both to the fact that happiness is not an end-product to be aimed at through pleasurable experiences, and to the fact that such experiences and the experience of overall happiness are not two distinct sorts of experience but two levels of the same experience as this applies to a/particular experiences, and b/the overall experience of a stretch of consciousness that contains such pleasurable experiences. Sprigge understands that we do not achieve happiness by pursuing individual moments of pleasure, but that longterm happiness is only of value because of the individual pleasurable experiences it contains (p.195). Maximisation for Sprigge is a question of pursuing particular pleasurable experiences, not indiscriminately, but with an eye to the part they play in the happy lives of individuals. We pursue pleasure not blindly, as in the simpler and psychological theories of hedonism, but because of the part particular pleasurable experiences play in happy lives, happy consciousnesses.

Why ought we to be concerned with the creation of happy consciousnesses? Because, Sprigge replies, of the pleasurable experiences which constitute them. The determinant of right action, however, is not likelihood of pleasurable experiences, but likelihood of leading to a stretch of consciousness which is happy, that is, made up of individual pleasurable experiences. That the determinant of right action is happiness though the locus of value is pleasure is so because individual pleasurable experiences are pleasurable not because they are experiences of drinking Sauternes, but because they are experiences of drinking Sauternes within a stretch of conscious experience which is such that overall it can be described as happy. The pleasantness of particular experiences exists because they are happiness-conferring: because these experiences lead to happiness they are pleasant experiences. What differentiates pleasant experiences and experiences of happiness for Sprigge is not just that the latter are stretched out further in time, but that they depend upon the nature of the other experiences surrounding the pleasant ones of which they are made up, and that without this uniformity of experience there would be no happiness.

Sprigge's account is appreciative of the complexities of the relation of pleasure to happiness, a relation which must be understood if happiness is to be understood, but it fails to show that right action is happiness-maximising action. He says the only reason for maximising happiness is because of what it is like to have pleasurable experiences. These experiences do not alone constitute happiness; rather happiness consists in these pleasurable experiences together with the context of the other experiences within which these are set. So in trying to maximise happiness we must be trying not only to pursue pleasurable experiences, but also to create those conditions which together with these experiences give us overall stretches of consciousness which are happy. It does not seem, however, that this is possible. Certain action leads to an experience with a pleasurable quality, one which can be an element within happiness, if, among other things, this experience is preceded by others of an appropriate character and other succeeding experiences of an appropriate character are anticipated. However, what this appropriateness is cannot be known independently of or in advance of our having the particular

pleasurable experience: if we are having a pleasant experience which is part of an overall happy experience, ipso facto the other surrounding experiences are appropriate; if we are trying to create a pleasant experience we cannot know in advance of it, with our limited knowledge of self and future possibilities, what conditions will be necessary to give us an overall happy stretch of consciousness (and even if we could, we have only limited control over both preceding and successive stretches of our experience). The strict, and seemingly impossible, requirement Sprigge's theory makes on the utilitarian agent appears to be the result of attempting to produce a utilitarianism in the classical mould which yet does not reduce utility to mere pleasure maximising. I think his account of pleasure within the model of the happy consciousness is largely accurate, but happiness must be distinguished from the experience of continuous pleasure which, at one level, it is. Happiness is not correctly described as continuous pleasure but something more like guaranteed or safe overall pleasure, and the only way to ensure this, of course, is to invest and develop one's experiences of pleasure within forms of activity and engagements which can give not only a permanence to pleasant experience, as Sprigge requires, but also security and easy recall: pleasure functions frequently as a resource we can call upon. Happy lives have value, then, not because of what it is like to experience pleasure, but because they satisfactorily reconcile the need for the sensation of pleasurable-ness with the requirement that the sources of the individual's pleasure consist in activities and projects he is able and willing to face a lifetime of pursuing. This account, if adopted by Sprigge, would allow him to explain how we can determine in advance of pleasurable experience the conditions required for happiness: knowledge of a pattern and regularity to those activities which give me pleasure is knowledge of what I must do at any given time to make sure a particular pleasure will fit into the structure of my life in a way which will make it not transient but an actual contribution to my happiness. Because Sprigge does not distinguish between happiness and continuous pleasure, he has no ready answer to my objection. His only move would be to return to the classical picture of pursuing pleasure as a means to happiness. This, however, would return to the difficulties which his account of the maximisation of happiness because of what pleasure is like was intended to avoid.

#### Intuition and Basic Principles.

Having examined a sort of utilitarianism which has great concern for the overall structure of experience, I will turn to the theory which concerns itself most with the experience of the agent not as goal of his moral reasoning, but as source of the basic principles of his reasoning. Sidgwick's The Methods of Ethics (London; 1962) is the most sustained attempt to try to prove utilitarian theory from the basis of common sense. Sidgwick believed an examination of common sense views on morality would provide first, self-evident principles. A principle was held to be self-evident only if a/its terms were clear and precise, b/careful reflection had been employed in formulating it, c/all alleged self-evident principles were mutually consistent, and d/there was general assent to them. The first examination of common sense, however, leads only to tautologies



or bare necessary conditions of rightness. These can, however, be seen to be limited versions of principles known through 'philosophical intuition' (3,13) to be truly self-evident ('we should expect that the history of Moral Philosophy... would be a history of attempts to enunciate in full breadth and clearness, those primary intuitions of Reason by the scientific application of which the common moral thought of mankind may be at once systematised and corrected'). These truly self-evident principles seem to be a/a version of the Golden Rule: if it is right for y to be treated p it is right for x if there are no relevant differences in x's circumstances (p.209); b/'one ought to have an impartial concern for all parts of one's conscious life' (p.381); c/the good of any one individual is ultimately of no more importance than that of any other (p.382); d/we ought to aim at the good generally, and not just at the good of particular individuals (p.404). These principles are axiomatic requirements upon the actions of a rational being. 'They present requirements which are intrinsically reasonable, or which possess ultimate rational justification' (J. Schneewind, Sidgwick's Ethics and Victorian Moral Philosophy, Oxford; 1986, p.381). Consideration of the circumstances of human beings in the world, then, according to Sidgwick, reveals that rationality requires some measure of justice, prudence and benevolence.

These self-evident principles, conditions of practical reasoning, arise because of the goal of rationality: the increase of a certain good. Sidgwick believes this good is pleasure. The elimination of virtue and perfection (3,13) by which he reaches this conclusion is hardly rigorous, but the defence of pleasure is. He believes, like Sprigge, that the intrinsic good must be some form of consciousness. However, what has value is not the consciousness itself, but its object. Pleasure for Sidgwick is a definite and identifiable object of consciousness, and not, as Sprigge sees it, the 'tone' of certain conscious experiences. It is on the same level, then, as the non-hedonic goods of knowing truth and appreciating beauty. These, however, (p.400/1) have value only because of their 'conduciveness, in one way or another, to the happiness of sentient beings.' When we appeal to common sense we see that Knowledge, Beauty and Virtue form the categories of the desirable only so far as people believe them to be means to or constituents of the general happiness. Pleasure is the ultimate good. It is the attempt to pursue it, universal hedonism, as a rational being and one 'in the world', possessing intellect, understanding, sociability and so on, which leads us to a determination of the principles we know confusedly in common sense intuition, and clearly through philosophical intuition. The method of intuitionism shows that ethics is the gradual unfolding of common sense by the moral philosopher as a sort of universal hedonism, utilitarianism.

If Sidgwick could have shown that the utilitarian conclusion unambiguously followed from his methods much of the twentieth century debate between egoism and altruism, particularly in connection with utilitarian theory, and the self versus the other within the structure of practical reasoning would have taken a more fruitful form. Famously, however, Sidgwick sets egoism and altruism at each others' throats, both rationally justified. It might have been thought that this hopeless result of his great labours would have

caused other moral philosophers to accept that if the two are rationally justified and incompatible, the rejection of the Kantian/Benthamite picture of the relation of rationality to morality would be the most reasonable course to follow. Sadly, a debate which it now seems reasonable not to have started is pursued still, often it seems for no better reason than that the antagonists have the ability to produce yet another argument. I include Sidgwick not to expose his methodology but only to report his own recognition of failure and to expose the pity of a whole century's debate in English speaking moral philosophy in terms shown to be faulty, to the detriment of a widely acceptable philosophical response to the problems of the swiftly changing pattern of communities in our time. If debates stagnate, loyalty to them is not continuance of a tradition but continuance of a personal obsession; they ought to be abandoned and new theories of practical rationality proposed.

The Sidgwickian issue which is still worth investigating is how far utilitarianism is based on very strongly held and non-philosophical intuitions. A formal demonstration of self-evidence in the sense of Ross and Pritchard is now in disrepute. But how deeply is the belief that right action maximises pleasure or happiness rooted in pre-reflective intuition?

#### Common Sense Utilitarianism.

Hare (Moral Thinking, Oxford; 1981) has taken seriously the grounding of morality in the common-sense question 'but what if that were happening to me?' He believes the practice of asking what I would want if I were in another's situation is structured in our moral language. The basic form of moral judgment is the prescription. To prescribe is to make explicit one of one's preferences: 'let x be (done)'. Moral judgements are those prescriptions expressed by using the term 'ought' in such a way that it is part of the prescription's meaning that the prescription is universal, and that it has precedence over any other prescriptions of other types (p. 55ff.). The point about universality is the important one: if I, or another, ought to do a certain thing, then the prescription which expressess this also prescribes that anyone similarly circumstanced ought to do this thing. Hare holds this feature of universalisability is basic to moral discourse, and is discovered in our disposition to ask what we would want were we in another's place.

Hare believes that I only succeed in knowing what I would want were I in your place if I now actually form this preference. That is, I cannot know that if I were in your position I would prefer y to such and such a degree unless here and now I actually do prefer y to this degree just in case I am in such a position. So universality, the property of moral judgements, is the result of our actually considering what 'anyone', whoever they are, would want in a certain situation, and discovering this involves adopting as wants and preferences of our own all the wants and preferences of all those who might be affected by the prescribed action. This involves a certain de-personalisation. My own personal wants, after all, continue, and if there were no de-personalisation, these would retain the privileged status of agents-own and not enter into the consensus or total relevant wants. I must retain my wants, and the

rational structure within which these are realised and into which I must also adopt the wants and preferences of others. These adopted wants must be incorporated into the structure even though, unlike my personal wants, they are not arrived at through the structure: they are not the results of the expression of any commitments or projects of my own.

Now, Hare holds that despite de-personalisation I am still a rational human being. I can, therefore, employ the rational structure of my mind in a straightforward way to this new accumulation of wants and determine what in any situation is the rational thing to do. In doing this the rational agent will be reasoning in accord with that theory known as preference utilitarianism. Our ordinary moral language, then, reveals our moral practices to be utilitarian. Hare's agent adopts all preferences whose satisfaction is liable to be affected by one of his choices as his own. He then must ascribe value to the individual preferences by the application of his rational capacities in the normal way. However, despite Hare, it is not possible to separate the 'rational capacities' from the particular personal preferences which an individual forms, and which structure his outlook. When I enter upon a piece of reasoning concerning what I ought to do this does not consist of a set of formal manoeuvres which can be applied to whatever preferences I (happen to) have. My personal preferences and priorities are not collected in isolation from my critical faculties: they are rather the result of these faculties as I have exercised them in the world. When I exercise my capacity for reasoning I reason as a universaliser, or as a happiness-maximiser, as a subject of the Natural Law and so on. I never reason as something called 'a rational being', but exercise and understand my rational faculties after a particular sort of understanding of rationality, and not simply as pure instrumentality. This means that my wants and preferences are formed not just by brute desire or the vicissitudes of the world but as the result of the total, and particularly the moral, view I take of the world and follow in my making of rational decisions.

My preferences do not stand in the relation of subject matter to an efficient process of reasoning which is 'applied' to them: they are product of my understanding of rationality, and so of my rationality, as well as subject of my practical reasoning. Reasoning concerning what (of the things I want or hold preferences for doing) I ought to do cannot be described as a process of scanning unconnected preferences by rational structure: practical rationality is not application of rationality to wants because rationality also determines wants. We do not 'treat' our own preferences with rational structure, and we certainly cannot thus aggregate the preferences of others which Hare believes we can adopt. Thus my criticism of Hare concerns not the details of his utility aggregation, but the conception of preference as specifiable in independence of the operations by which preferences are judged. Preferences cannot be stripped from rationality and transferred and cannot be considered by the rationality of the maximising agent for the same reason: any preference is determined, at least minimally, by a rationality which answers to an individual's understanding of rationality, and the conception of

rationality of the person it is stripped from may be different from that of the agent who adopts it.

The mistake which Hare has made is in one way or another the confusion at the bottom of any utilitarian theory which places weight on the appeal to common sense intuition concerning our shared lot. 'What if it were done to me?' is an effective question only because it requires me to distance myself from the one to whom it is done and to consider the effect of it on someone whose make-up is not that of the individual now actually suffering. Its effect is a feature of our being directed to consider not the facts of the suffering, but the nature of the sufferer, the nature of other hypothetical sufferers, and judging that the differences between individuals is irrelevant in the case of moral action. In order to show that differences between individuals do not matter but only the facts and the relations of their situation the Golden Rule test must go beyond these facts and invite us to compare the situations of different individuals. It has to direct attention to the fact that x might suffer, y might suffer... and that in all cases the fact that the suffering is this individual's plays no part in the judgement that the suffering is wrong. We, as agents, cannot understand that the differences between individual agents are irrelevant in moral action unless we actually consider the effect of the differences between individual agents in the making of certain, moral, judgements.

By requiring us to separate preferences from individuals and from the individual rationalities through which these preferences were formed Hare does not succeed in isolating some neutral core of facts and relations we can judge in impartiality. Rather he loses in his account of rationality the comparison between cases of individual agents, the comparison which, in considering preferences, allows us to say that certain preferences ought morally to be acted upon just because their satisfaction does not depend upon the make-up of the individuals they affect. Common sense moral belief, as found, for example, in the question 'what if it were to be done to me?', does not support Hare's depersonalising model of preference utilitarianism.

#### Preference Utilitarianism.

The increase in popularity of utilitarian theory owes much to utilitarian writers turning from pleasure and other conceptions of the good to the concepts of harm and benefit, welfare and need. Such economic utilitarianisms generally centre around an understanding of choice or preference.

Preference utilitarianism naturally reflects the liberal economic politics of the societies of the writers. It also gives apparent scientific precision to ethics through the contribution of interdisciplinary research in choice formation and decision theory to the understanding of rational moral action. Preference utilitarians believe that it is false that there is one true form of the good at which we all aim. Instead there is a plurality of goods, increase of which is brought about through principles of reasoning. These principles contain within themselves measures for limiting the pursuit of any one good to the detriment of any other or of society. Preference utilitarianism is pleased to locate a high degree of autonomy in our individual choices, and to balance against



this limits on efficient pursuit of personal satisfaction through the checks within rational principles.

N The case for preference utilitarianism begins not with the notion of the good or goods to be pursued, but with that of the choosing agent. It focuses on the situation of individuals making particular choices in pursuit of particular goods. In this respect, it is more in the Kantian than the Benthamite tradition, but differs from Kant in locating ultimate value not in the autonomy of the person but in the satisfaction of her personal choices. The great difficulty of the theory is to explain how the rational pursuit of personal utility is compatible with the rationality of pursuing social or overall utility. It must negotiate the claims that value is found uniquely in personal satisfaction and that it is found in satisfaction of those preferences whose objects are judged good by the criterion of social or general utility. Such negotiations were not faced by classical utilitarians who, with the touchstone of pleasure considered after the analytical model of Bentham, could provide straightforward answers to apparent conflicts between individual and society. Preference utilitarianism, because it acknowledges as many forms of the good as there are objects of preference and because it finds value not in the goods but in their achievement, is open to conflict when it comes to the determination of right action.

The measures preference utilitarianism has evolved to guard against these conflicts either take the form of principles prescribing certain goods which utility maximisers must pursue if they are to pursue any goods in their choices, or the form of principles prohibiting certain choices involving the dissatisfaction of other agents. The first sort of principle depends upon a settled conception of the person as rational; the second upon a conception of the person as primarily moral, sympathetic being. The first conception will be specified in terms of an understanding of human nature spelled out in a theory of human needs and welfare, or a theory of liberty, autonomy, or rights: a theory of fundamentals which cannot rationally be sacrificed. The second conception is the result either of a view of human beings as essentially concerned with the satisfactions and dissatisfactions of others in virtue of the social arrangements which have developed or been artificially constructed between them, or of a naturalist theory of virtue which sees rational action as the action of beings disposed in various respects towards contributing to the good life for others. Preference utilitarian theories which demand such built-in safeguards against the clash of personal with social utility are generally wrong on at least three counts: in supposing there might be a plurality of goods we may pursue as individuals requiring no reference to the good of others; in holding preference satisfaction is the locus of value; and in believing the conception of the person either as rational or as moral being can be specified in independence of the particular conceptions of rationality and morality of individual communities. We can make these points by considering Harsanyi's views.

Harsanyi claims ('Morality and the Theory of Rational Behaviour' in A. Sen and B. Williams eds. The Limits of

Utilitarianism, Cambridge; 1983) that the concept of rational behaviour comes about from the observable fact that human behaviour is in general goal directed. Rational behaviour is behaviour pursuing in a consistent fashion well-defined goods in terms of well-defined preferences. Rational behaviour is the foundation of the normative disciplines of decision theory, game theory and ethics. These disciplines function both to help people act more rationally and to give them a better understanding of rationality. They form a system of explanation of action which allows us to give a rational account of an agent's behaviour in pursuit of a personal goal under uncertainty or risk (decision theory), as well as a rational account of the pursuit of an altruistic goal by another identically circumstanced agent. The possibility of both of these rational accounts - the rationality of self-interest and the rationality of one in identical circumstances turning her back on self-interest - is the possibility of conflict in rationality.

The three normative disciplines give rational explanations of action (game theory is rational interaction of individuals each pursuing their own objectives) as the pursuit of certain goods in terms of a basic concept of rationality as goal-directed behaviour. Consistent pursuit of certain goods explained by certain of our preferences leads to ethical choices, but we could also pursue certain other goods leading to choices directed to the maximisation of personal utility. Explanation of rational action as goal-directed contains, then, a non-rational aspect of choice between satisfying ethical or personal preferences. Do we simply choose the preferences we want to satisfy most, or is there some richer though, according to Harsanyi, non-rational scheme of explanation of why we actually choose to do what we do to maximise utility? Personal utility may oppose social utility for Harsanyi because it is possible to make rational choices in independence of the good of others. This is possible because he holds we are rational beings prior to being moral beings: there is a basic concept of rationality as goal-directedness. We then have the great difficulty of explaining how the gap between private satisfaction and moral/social satisfaction can be crossed. I suggest that this gap is unbridgeable, and that this is no difficulty because the notion of the solitary rational chooser, even as a conceptual notion, is fictitious. Rationality is not an exercise even of the most sophisticated agency, but is activity. Rational choice is choice satisfying principles which themselves have no grounding other than in the current orthodoxy of debate within the community, and this explanation applies even to such apparently fundamental principles as Harsanyi's of goal-directedness. A self-interested utility maximiser may represent the paradigm of rationality but not because of any features of the objects of his choices, but because his sort of choosing has the sanction of the current standards of explanation.

Since the understanding of all rational choosing involves the understanding of orthodox ways of explaining and justifying, the notion of the solitary personal utility maximiser can be no part of theory of rationality. For even if this stance is sanctioned by any given orthodoxy, its rationality derives not from some basic normativity of goal-directed satisfaction of personal

preferences, but from the orthodoxy which sanctions it. This means that the goods which we can pursue as individuals cannot be pursued wholly in independence of the good of others: even if self-interest is sanctioned, it will be so only because it forms the good of others together with whom I have some form of social life. This does not mean we are essentially moral/sympathetic beings, the sort of beings who always sincerely ask 'what if it were me?', because the understanding of good of the community may not be at all an altruistic one. The relation between the good in the sense of the rational action the community advocates and the moral good it practices in its shared life and institutions is something shortly to be examined, and the question of whether there is some good in any sense more basic than the moral good embodied in everyday social life one that must be answered. So far I have claimed only that because of the dialectic of theoretical activity I have suggested as an account of rationality, the notion of an individual rationally pursuing goods without reference to the good of others is fictitious.

There is another way in which I believe the pursuit of goods must make reference to others; not to their good, as we conceive this, but to them, themselves, as an expression of, or an expression compatible with, charity. Charity is the disposition to act in such a way that one's behaviour is a communication with others as individuals; as I shall be arguing, to act so that one's behaviour is an expression of love. I shall claim that it is the relation of charity to moralities that gives us the notion of ethics as criterion of evaluation of moralities. My point in this section is simply to note that individual pursuit of personal preferences is not pursuit of true goods if their achievement or the pursuit of them is incompatible with the disposition of charity.

However, the demands that love makes upon action are inexhaustible: unlike moral principles whose ultimate justification, I will claim, rests upon an appeal to accepted mores, judgements of charity, expressions of love, have no justification and so cannot be ignored or overridden except by ignoring or overriding the felt experience and the normative imperative of love itself. The question then is how can we ever pursue personal goods, if faced with claims concerning others whose scope is inexhaustible and cannot be rationally scrutinised? This is possible because although there are no grounds for overriding the claims of charity, there are grounds for holding that what I ought to do is to pursue some other form of good either because it is a means ultimately to a charitable disposition, or because it is sanctioned by the practices of my community in the form of a moral principle interpreting charity.

Harsanyi is also mistaken in the general claim that value is located in the satisfaction of preferences. We can see the effect of this in the structure of his own argument. He distinguishes true preferences as 'preferences he would have if he had all the relevant factual information, always reasoned with the greatest possible care, and were in a state of mind most conducive to rational choice' (p. 55). Apart from the fact that this restricts us to one highly selective conception of rationality, it fails because of the paring down of the agent's desires from 'surplus' wanting to

a genuine core of preferences while holding that it is in preference satisfaction that value resides.

The notion of a core set of preferences unambiguously the agent's own is a result of the picture of the agent as rational prior to any facts about the involvement of himself in the indeterminate events of life, and relationships with others. However, the notion of an agent rational prior to social contact is illusory. Preferences cannot be distinguished as true and false on the basis of those he possesses qua rational (when in a mood conducive to consistent pursuit, in possession of all relevant knowledge and so on) and those he possesses qua non-rational desirer in the world because he has no principles of rationality until, engaging his preferences with those of others, he forms a conception of rationality through formation, and reformation, of preferences. We develop principles of rationality as a result of beliefs and preferences formed together with others in particular social contexts.

By paring down preferences to a set formed in accord with some ideal rationality Harsanyi is, in fact, moving from holding value resides in satisfaction of preferences to holding it resides in autonomous formation of preferences, with autonomy understood in terms of pre-preferential rationality. If it resided purely in preference satisfaction we would not need to strip the agent's preferences of the uninformed or the locally conditioned. The paring down suggests value actually does not rest in satisfaction, but in succeeding in forming preferences in accord with pre-preferential, pre-social rationality. The problem with a theory of utilitarian rationality relying on a basic concept of reason appealing to a conception of the individual prior to his social identity is that this conception is not that of the individual as preference satisfier but as autonomous person, and it is bound to keep slipping through the utilitarian mask expressing itself in compromise devices such as Harsanyi's true and false preferences. If the appeal to the person as the ground of the concept of rationality is an appeal to the autonomous chooser, and not to the utilitarian satisfier, it is hard to see why value ought not to be located there, in autonomy, rather than in preference satisfaction.

#### Contractarianism.

The best of the recent work connected with preference utilitarianism has involved the recovery of contractarianism. This is almost always the best worked out alternative to those forms of utilitarianism whose creators tend to favour the term 'consequentialism', although there are contractarian theories which are compatible with utilitarianism (see B. Gert's Moral Rules, New York; 1973, based upon his concept of the reasonable human being). The most thorough contemporary contractarians are T. Scanlon (in Sen and Williams eds.) and Gauthier (Morals by Agreement, Oxford; 1988), but they are so deeply within the tradition of Rawls that it would be as well to discuss the theory in terms of A Theory of Justice (Oxford; 1972).

The classical social contract theories of Grotius, Hobbes, and Locke depend on seeing the individual as a choosing agent who, somehow, together with others, stands just before our history begins and opts to give it the form it has. Thus Anscombe: they have the idea 'of the universe not as a legislator but as the embodiment



of a contract' (Hudson, p. 189). As she says, the contract concerns 'the universe': it relies on the notion of being there before our world is, and choosing it. Rawls's version of the contract supposes that we are individual choosers with individual conceptions of the good, and that we come to agreement on what is just within a society in which many different conceptions of the good co-exist. This conception of justice as fair means to mutual advantage is convincing only if we conceive of persons as moral - moved by a/a sense of justice and rightness, and b/the capacity to form, revise and rationally pursue a conception of the good. These two interests constitute the intrinsic morality of persons, and explain their desire to cooperate fairly to advance their good according to those public principles of justice all can be reasonably expected to accept.

Principles of justice themselves are discovered by assuming every moral person is represented in an original, pre-social position. In this position principles will be chosen depending upon how far they provide us with that class of (primary) goods without which we, none of us, can follow our moral interests. In order to pursue moral interests we require basic liberties, freedom of movement and occupation, certain rules in effect concerning responsible public offices, income and wealth, and various goods of self-respect. As these are all-purpose means in any rational life plan, they together with our moral interests allow us to claim a scheme of basic goods expressed in our principles of justice which ensure that by following the principles we are pursuing our mutual good in the most advantageous way. The principles expressing these goods are: 1/each has an equal right to the most extensive scheme of liberties compatible with a similar scheme of liberties for all; 2/social and economic inequalities must a/be to the greatest benefit of the least advantaged, and b/ be attached to offices and positions open to all under conditions of fair equality of opportunity. In particular decisions the relevant primary goods are considered in the light of the basic goods expressed in these principles, and together these are supposed to give fair answer to all questions concerning social resources.

The detail of Rawls's vast theory is irrelevant here. What matters is whether by taking justice as fairness he avoids difficulties utilitarianism cannot answer. He says rightly that the utilitarian does not see the agent as having any antecedent moral structure but simply as a bare maximiser, and that there seems little reason for holding that the pursuit of the utilitarian good need be limited by any considerations of fairness. My complaint is that although Rawls believes we cannot conceive of the agent except as having some antecedent moral structure (a conception of the good, and a corresponding rational plan of life), he believes we can attribute this structure prior to the facts of shared social life, and that what social life is is the set of arrangements chosen so that we can self-interestedly, though fairly, pursue our individual goods. Rawls's liberalism, and all liberalisms I know, fails because it posits an intelligible good or goods outside the community in order to explain the possibility of pursuit of different forms of the good inside it, and this is not possible.

Rawls defines the good as 'the successful execution of a rational plan of life' (T.J. p. 433). Haksar (Liberty, Equality and

Perfectionism, Oxford; 1979) has shown that Rawls repeatedly also uses a richer and more precise concept of the good which makes appeal not to a purely rational and neutral concept of the person, but to a particular ideal involving 'perfectionist' considerations. He thus shows the intrinsic moral character of the person, which Rawls believes to stem from his nature as adopting his own conception of the good to be rationally pursued, is actually to be understood variously as a/having chosen a (any) conception of the good, or b/having a conception of the good involving the higher and richer wider capacities. ('Human beings enjoy the exercise of their realised capacities... and this enjoyment increases the more the capacity is realised, or the greater its complexity' T.J. 426). This is sufficient to show that Rawls's theory, like any other, is not actually describing the conditions of holding a (any) conception of the good, but is simply appealing to the particular conception of the good of a particular community: the liberal-democratic view of the good as unhindered pursuit of whatever does not interfere with the objects of pursuit of others, with the proviso that the 'higher goods' are to be preserved. Things have not improved much since Mill.

However, the greater failure is not perfectionism but the belief in the intelligibility of a conception of the good which is pre-social, and in a society which can be morally mature with many competing and often conflicting conceptions of the good. To the original position people can bring only desires for society, not desires for fair social conditions to pursue personal goods because 'fair' as yet cannot have meaning. If it does have meaning, then the moral structure of persons from which the principles of justice are to be constructed already contains the property, fairness, which is supposed to be wholly derived from the neutrality of the original position. If, as I believe, 'fair' in Rawls's original position would have to be construed as having no meaning, and the social choosers therefore have only desire for social life, it is impossible to see how from any choice made by individuals in this position any principle can result which will be one of justice rather than of exploitation. 'Fair', like 'just', 'lawful', 'compassionate', 'worthy' and all other moral meanings, arise from social consensus concerning social life and understanding. In the imaginary position of Rawls in which social life has not started there will be no moral meanings, and so no possibility of creating specifically moral meaning. The only way out of the dilemma is to say with Rawls that moral structure, like rational structure, is inseparable from human life, but that such life exists only where there is human community, and that consequently moral principles are not to be explained from the position of pre-social life, but from social standards of acceptance and coherence within individual communities.

The second point is that society cannot be 'made' from a number of atomic, competing goods or conceptions of the good, however flexible the structures devised as a framework for their pursuit. This is so because society does not exist for the purpose of giving the individual whatever she wants: society does not exist as anything other than the individual at all, for even the institutions and practices which do give society objective existence have no purpose extrinsic to the individual, but are merely the historical context

of the individual. Rawls's conception of society as fair pursuit of mutual advantage is a possible description of a predominant conception of society, but it is no description of what society is in some essentialist sense: justice as fairness has no monopoly on correct descriptions of society. 'Community' captures the notion of context better than 'society' because community is a form of living, and not a description of life. I do not claim that the sign of social life is pursuit of the homomeneous good, but that the variety of goods pursued in a community are pursued in the form of participation in actual practices and institutions and continuing (theoretical) enquiries of different sorts. These are not structures within which individual goods are pursued, but presently developing and historically conditioned varieties of behaviour which are pursuit of goods, and of heterogeneous goods, because of the complexity of history and the possibilities of confrontation of present standards of practice and enquiry with constantly changing new conceptions.

What is wrong with liberal contractarianism is not the notion of more than one conception of the good, but, as with preference utilitarianism, the misunderstanding of the nature of the individual within society, and the misunderstanding of rationality and morality as basic social concepts with which we explain and pursue our conceptions of the good rather than as, literally, the very life of society by which all otherwise individual conceptions are transformed into community ones.

#### Rights.

Something must be said about the utility/rights debate in this context. It seems to me that the doctrine of natural rights is one part of the theory of Natural Law, and of classical social contract theory, and that when it is taken from this context it is insufficiently grounded to be of any value unless it can be set in a new ethics of the nature of the human being. This is precisely what writers like Finnis, Vlastos, Wasserstrom, McDonald and Hart have failed to do (see J. Waldron, Theories of Rights, Oxford; 1990; and see Sumner, ch. 4 for a contemporary Benthamite argument against natural rights, fatal outside the context of Natural Law theories), and it means that natural rights theories at present enjoy no advantage positivist or conventionalist theories of rights do not also share. It is obvious that rights are an important form of moral relation. However, they have no special moral primacy. Positivist theories of rights are plagued with uncertainties concerning justification and extent. Recently J. Sumner has attempted to show rights do have a primacy, and has managed to add great clarity to Hohfeld's analysis. He, and T. Sprigge, both hold utilitarian theories of rights. For Sprigge y has a right to x if, should he not have x, there are grounds for complaint on y's behalf. Rights talk is a useful device here for preserving those little stable pockets of utility we wish to preserve from unnecessary scrutiny, believing their utility can be more or less taken for granted. For Sumner consequentialism can be found to provide a moral justification for rights because imperfections in our moral strengths and character and in our reasoning and decision making faculties imply that as maximisers we cannot range freely over options, but must acknowledge

certain constraints for the sake of the greater good. And these constraints are rights.

Both of these views seem to me not to encourage, perhaps even not to allow, what is surely the central feature of rights, that they are moral relations the terms of which are not violations of desert or deprivations of utility but the needs of human beings, or, where these are not fulfilled, human harms. The point is not that rights do not concern violations of entitlement for which complaint can be made, or constraints on instrumentally rational action given human weaknesses, but that the feature of these situations rights focus upon is the actual harm, direct or indirect, to human welfare which results. This is not to claim that the normative weight of rights is merely rhetorical, for a second essential feature of rights is that they not only draw attention to the actual harm of wrong actions, but that the entitlements right claims express cannot normally be validly opposed except by other entitlements expressed or expressible as rights claims. That is, except perhaps for certain dangerous or emergency situations, no claim except another valid rights claim can oppose this form of entitlement. Rights are not merely rhetorical, because their indefeasible role in modern moral discourse is one of the key relations which gives method to prioritising and classifying moral judgements.

Neither Sprigge nor Sumner accept the flesh and blood nature of rights or their invulnerability to everything except other right claims or the contingencies of emergency. This emergency situation must be clarified because I think it vital that rights claims should not be allowed to overturn difficult and conscientious, or caring efforts of judgement, or expert judgements, and because I think the characterisation of those situations in which rights can be overridden could not be accepted by a utilitarian. I suggest that rights can only be overridden without consent if those involved acknowledge that in doing so they are violating another's rights, they accept rights give grounds of complaint which cannot normally be overridden, and they believe that in this case not to override them for this reason would be to act in a way which any reasonable rights-holder would acknowledge as morally wrong. Very few utilitarians could accept this characterisation of when rights may be violated. Their theories would prohibit them from recognising one or other of the three conditions: that infringing rights is violation; in normal cases such violation is wrong; that it is only right when any reasonable rights-holder would agree that not to violate would be morally wrong. ('Reasonable' is not specified, so that the criterion of reasonableness might even be utilitarian). Yet it seems to me these three conditions are the minimum characterisation of this situation, and that it must be acknowledged within any rights theory. Because the utilitarian cannot accept the criteria for overriding rights claims, he cannot accommodate rights within his theory.

#### A Different Conception of Morality.

In general, the reasons for rejecting utilitarianism concern the conception of morality. The conception I prefer reflects a way of thinking about morality or moralities and the relation between morality and ethics which arises from ancient thought and medieval practice. This way of thinking concerns the connection between



morality and charity, or, as I prefer to call it, love. Aristotle's theory of the virtues and Aquinas's theory of Natural Law are, I believe, particular ways of explaining this approach to morality. In the 1950's the philosophy of language, inspired by Wittgenstein, produced a climate in which a new theory taking this approach ought to have appeared. This theory - a semantic theory explaining moral norms as the import of ethics for particular communities: morality is a particular set of linguistic rules by following which we understand and experience love - has not been written. Instead moral philosophers were diverted by arguments such as Anscombe's, Geach's and Kenny's into the study of Wittgenstein's psychological, particularly motivation, concepts. Having exposed the reality behind foisting legalistic moral concepts onto moral discourse of a non-theistic twentieth century community, Anscombe went on to recommend the study of psychology in the hope of providing moral philosophy with a scientific basis. Psychology seemed, and to many seems, the correct foundation for constructing a theory explaining for our age the relation of moralities to some timeless ethics, or 'moral truth'. This trend accounts for the revival of preference utilitarianism which puts its trust in the harmony it finds between straightforward motivation and moral motivation. Psychology takes up the role of virtue theory, natural law or religious codes. It is the more basic level of a two level theoretical analysis of morality which, therefore, justifies the moral theory it supports.

However, language and not psychology ought to play the basic role in contemporary moral theory. This is so because forms of psychological explanation are explained by the particular conceptions of rationality of different communities: there is no invariant human psychology. However great cross-culture similarities of behaviour, it is in terms of similarity of conceptions of rationality and moral understandings that these are explicable. By examining connections between the patterns of enquiry and the moral practices and conceptions of different communities we could build up a map of psychology, not just a picture of the relations between the different concepts of explanation and motivation used, but a guide to the actual behavioural regularities of human beings which is purely local and in no way as it is because of human 'nature'. This claim will be supported by the account of morality I am about to give and its relation to rationality.

The implication of it is that the pressing task for moral philosophy is examination of the way in which language, through theoretical activity and the reflection of this in social institutions and patterns, structures communities; how the form of communication that is historically conditioned theoretical discourse, enquiry, relates to the form of communication that is participation in everyday social practices and interaction in shared forms of life; and how communities engage through their contingent means of enquiry and practice in that form of communication I have described as love and indicated to consist in communication between individual members of a community as individuals and not as role-bearers or place-keepers within various of the community's institutions.

The critical role given to one particular set of psychological concepts, and the conception of morality as a set of practical

rules or guidelines applied in decision making to issue with the description of practically rational actions are the basis of the attempt by utilitarians to make moral philosophy a science. I have criticised the psychological assumption and the various paradigms of decision making. Many other forms of this assumption and patterns of instrumental practical reasoning could be developed, so the argument of this section is not conclusive. It could not be conclusive; this is a feature of the argument of anyone who enters the contemporary moral debate, particularly concerning utilitarianism. Conclusive argument can come only from describing in a better way than the utilitarian does what morality is. I will move to this now.

#### Part Two.

My first point is that we are not required to give a proof of ethics, for ethics can only be pursued through our particular morality: it can be known and sought only through the moral understanding and practices of what I have called my community. Both the understanding and the practice here must be understood as linguistic. They are not different sorts of linguistic behaviour: rather they form a unity of theory with practice and, in combination, as morality, they form, together with the sort of theoretical activity which is intellectual enquiry, a second unity of theory with practice. The fluid nature of such unities, whose bounds are not externally prescribed but are a function of their own coherence, was my aim in deriving from Aquinas a concept of rationality as theoretical activity which is both theory and practice, yet which entails that all practice is theoretical, the result and expression of dialectical enquiry. A second source for an understanding of this unity is the later Wittgenstein whose distaste for theorising as philosophy culminated in the union of activity and theory in the concepts of language game, life-form and rule following. This source will be made explicit shortly. When I say that the unity in question is linguistic I mean that the understanding and practice of morality take place in the context of complex networks of communication. Particularly moral understandings and practices add to this complexity in a particular way: they are expressed, and eventually developed and revised, in individual, concrete situations in which a fixed small group of individuals speak and are heard. An individual saves another from a third's intemperateness; a court removes the liberty of a woman for harming her child; a teacher explains to some children the disobedience of Gandhi. The standards exercised, strengthened, or revised here are those of the community, but they are expressed by individuals within a situation which is both concrete (its specification cannot be given purely in terms whose abstraction makes them fit for the description of stretches of dialectical activity) and particular (the individuality of the participants means that although their perception of the situation accords with the pattern of the community, its structure is never more than in line with the general: it cannot be deduced or predicted from the moral norms of the community by logic or rules). Specifically moral forms of communication are not sophisticated or late social developments, but communication of individuals in

concrete, particular situations: communication concerning everyday affairs.

In a stable community morality and rationality will not war. Forms of rational explanation and justification will provide the norms communicated in our practices and understandings of ourselves in particular, concrete situations. However, the forms of social practice may become divorced from the forms of practical rationality either in a transition to a new set of rational standards, or as what is seen as a deliberate break from theory and principle. The latter may be anarchic or spiritual; the first revolutionary or apathetic. In both cases rationality and morality will war for a time, and then necessarily come back together if a community is to preserve its identity (they may come together in so new a form that we wish to claim the founding of a new community; or stay apart for a time as an extended breakdown of community). The war, when it occurs, is caused by the continuing and unstoppable dialectic which is the development of rationality, and the moral impulse of individuals to pull away from it or jump ahead of it. The chaos within reason which results can never persist.

In this sense rationality is irresistible: it cannot be jettisoned because the attempt to create new forms of explanation outside the bounds of reason simply results in the re-creation of these bounds through the process of revision which is the heart of rationality, if the dialectical account is correct. Attempting to give non-rational paradigms of explanation merely sets up a new standard of rationality, and attempting theoretical revolution as a moral priority merely pushes theoretical standards to breaking point, breaks them, and settles for a theoretical standard which surpasses the previous one in its explanatory potential and so satisfies the revolutionary for a while.

The moral life and moral knowledge need not at this level of analysis be at all 'moral' in the common sense. The communication between individuals in particular, concrete situations is always rationally explicable, but the canons of rationality of the community in question need make no mention of virtues, rightness, duties, laws or the like. They will set up relations of obligation and entitlement among members of the community, but these are not to be understood as sorts of moral relations. To stand in these relations is not something members of a community do or strive for, but what it is to exist not just as individuals but as a particular community. If there is to be a morality, the existence of a community through the interaction of individuals in concrete, particular situations, then there must be individuals standing in relations of entitlement and responsibility prior to this: if not, these sort of situations would not occur. Moral standards, then, arise as a response to the particularities and social necessities of shared human life, and the form of this sharing, a form which morality comes to contribute towards, can be distinguished in the first instance as rationality, shared standards of explanation and understanding. As the standards of rationality may embody ways of discourse we would not call 'moral', patterns of communication destructive of communication itself, the moral response may also through its adjustment to these lack any characteristics we would normally think definitive of a morality. My theory, that is, allows for the existence of thoroughly un-moral

morality. The question is, is there any way of distinguishing these from good moralities, and are there any grounds for making such a distinction, rather than a simple distinction between our morality and those of others, in the first place?

This distinction can only be coherently made if we accept that there are true and false moralities. It is only by accepting this that we can evaluate moralities at all rather than merely describe some as 'ours' and some as different, and it is only by a realist theory explaining what a true morality is that we can distinguish within the class of moralities those which succeed and those which fail in their communicative purpose. The difficulty is what a true morality can mean. For our consideration we have only the facts of particular moralities and the relations between moralities: human life is community life, and community life cannot only take the form of instinctual or general communication, but must also include communication on an individual level and in particular situations; human beings therefore take part in and enquire into morality. We cannot stand free from (all) morality and evaluate moralities because we cannot stand free from community, and within community morality is inescapable. Yet we want to claim there are true and false moralities: we want to proscribe whole communities for outrages. Also, there is such a phenomenon as moral growth and advance.

To understand how, though necessarily bound by our own moralities, we can come to an understanding of true morality we must recall that morality is not simply moral practices and institutions, but is also moral understanding: the holding of beliefs, attitudes, emotions and opinions which reflect the forms of communication these practices and institutions embody and constitute them as they are. Moral understanding is a sort of knowledge. It is formed after collecting evidence, it is open to empirical investigation, and it is true. Moral understanding is true not only because it accurately represents our moral practices, but because it constitutes them. That is, as we have said, moral understanding has the dual role of cataloguing moral practices and of creating, and sometimes revising them. Its truth, then, is not merely a matter of correct reporting but of advancing correct adjustments and revisions of standards of behaviour in concrete and particular situations.

This correct development of moral standards which is a feature of true moral understanding, moral knowledge, cannot be an application of rational norms, because evaluation by these norms would represent not creative advance, but mere reflection of current standards. Morality and rationality are closely related. Morality is part of the context of rationality: it develops together with dialectical progress of theoretical activity, though it is identifiable independently due to its connection with the particular and concrete; morality can be a standpoint of evaluation of conceptions of rationality: one source of dialectical progress is incompatibility with moral practices we feel actually structure our community, leading to revision of rational norms. However, evaluation of morality by principles of rationality is not the source of moral truth for it can only ever bring morality in line with rational standards it has escaped. When rational evaluation of morality occurs what is happening is evaluation by something else which just happens to be compatible with current rational principles.



The source of moral truth, then, is neither moral practices nor rational conceptions, but it appears we have no other normative footholds than these. There is no extra-moral source of ethical truth or practice available to us, therefore there is no ethical knowledge we can appeal to to evaluate the truth or falsity of the behaviour in which our moralities consist outside these moralities themselves. However, although there is no moral knowledge outside our own moral practices and institutions, I want to claim that through our morality we can have understanding of norms of behaviour which impose requirements upon us independent of our morality, and that through our morality we can participate in behaviour required by something other than our morality. The conduct the moral understanding imposes upon our moral practices can be an exercise of true judgement, moral knowledge, because it can be a judgement of what is required of behaviour by a standard which is truly objective (independent of the existence of communities). The vocabulary of the moral understanding is not only that of a particular morality, but that of what I will call ethics, the source of a moral understanding of some greater than merely moral truth. True moral understanding is formed through morality by ethics; and true moralities are moralities informed by this understanding - which is a component of the morality - and constituted by participation in practices and institutions which are required by it or permitted by its requirements. Morality, then, is level two to a standard of explanation which is ethics. Within this system ethics is level one to the disposition to love - charity - which is basic.

#### Charity: the Disposition to Love.

Moral philosophers in our tradition have been reluctant to discuss love, presumably because of the belief that it is conceptually vague. This is incorrect; there are a number of problems philosophy will not solve unless it recognises the role of the disposition of charity. From this point I will talk only of love, but intend by this 'love or the disposition to love'. Love has two constituents: understanding and experience. Both are acquired through individual human encounters. The understanding of love is moral: it occurs always within the context of a morality; but our experience of love need not be experience of a moral encounter. I will consider first the experience of love.

It might be thought there is a difference between erotic and other forms of love, however this is not the case. The distinction is between different sorts of expressions of love. All love is bodily, but all expressions of love are not. The difference between erotic love and non-erotic is that erotic love always tends towards bodily expression, and cannot be fully expressed without bodily forms of expression. It need not, of course, rage for bodily expression, and it can also be expressed in many other ways. However, if it is erotic love, its overall tendency will be to bodily expression, and it can never be fully expressed except in bodily ways.

Non-erotic love need not be expressed bodily, but it is bodily. What does this mean? It is bodily first in that it exists between individuals, particular embodied individuals. This does not simply mean that disembodied love is inconceivable (though I think it

is), but that the characteristics of the particular body are relevant to the particular love involved. Familiar bodily contact of family or childhood friends has caused our love of them to have a quite different quality even to that of good friends or sexual partners; bodily wounds or hurt draw forth an immediate love, even for strangers; sudden meetings with old friends whose appearances have greatly changed requires additional effort and adjustment for the old love to appear. Non-erotic love is also bodily in that the experience of love is a felt experience. Love is, must be, felt in and through the body. As with other felt experiences such as grief or depression, love involves understanding. The difference with love is the particularly high degree of coherence there is between experience and understanding. Our understanding in grief, ecstasy, hate and the like is incomplete in the sense that it does not fully cohere with the felt experience to make this intelligible. Further understanding is required by these experiences, and it generally has the effect of dissolving the experience. However, the understanding of love, unlike the understanding of hate, makes the experience comprehensible, and, together with the experience, prolongs the loving. The reason for this, as we shall see, is that the experience unites in a totally communicative way individuals, and the understanding of this unity always gives reason for prolonging the union and seeking it in other situations.

Non-erotic love can be expressed through means of the body or expressed in non-bodily ways. The latter does not mean 'without bodies being involved' but 'without the involvement of bodies being the expression of love'. Bodily expression of non-erotic love might be smiling at the loved one, talking to her, touching him intentionally, play fighting, having a meal with him, or simply relaxing together. Non-bodily expression might be playing tennis, singing with her, decorating a room, repairing a car, going on holiday together. The love is expressed not through the bodily contact, but in the playing of a game, performing of an activity, doing of a service. Non-erotic love neither tends towards bodily expression nor requires bodily expression to reach fulfilment. This is not to say that it is in any way not bodily. Because of its bodily nature and its bonding of particular individuals the experience of love is one of our most basic human experiences. By this I mean that anyone who asks what authority love has or what justification one who pleads love as a reason for his actions has is asking a question whose answer in normal circumstances is either tautologous or embarrassingly frank. In this sense, and only this sense, love can be said to go beyond or to transcend questions of right and wrong, ought and ought not. This has lead often to a doctrine of 'love beyond morality', in particular this has been suggested as the doctrine of the New Testament. This doctrine is held by those who hold it because of the fact that love exists beyond the possibility of its own justification, and because there are no reasons why love cannot hold between any two human beings in the world. The latter follows because as love is open to no form of external evaluation, no other sorts of reasons can ever be produced for not loving someone. This leads to the belief that true morality can only be the living out of the life of love. In a sense this is true, but not in the sense meant by theorists of

love. They mistake the complex nature of the relation between love and morality, holding that love overthrows all complexity and is morality; and they forget that love is also understanding. What is the relation of morality to love? Morality is the standard practices and forms of understanding of these practices in our community. Morality concerns individuals in concrete and particular situations. It, therefore, provides the context for experiences of love (and, as we shall see later, for the understanding in love). The situations in which love is experienced are all structured or actually created by the community in its forms of moral practice and understanding: it creates love directly through recognition and encouragement, and indirectly through suppression of more complex instincts. The love we experience may, but need not be, recognised by the community within whose boundaries of social possibilities it occurs. By a community's recognition of love I mean the community's holding an experience and understanding of love either morally permissible or morally required. A community such as ours recognises such loves as love of family, friends and celebrity and media figures, in fact virtually any non-erotic love, and does not recognise such loves as homosexual love, and love between an adult and a child, in fact, virtually any erotic love other than that between heterosexual long-term partners. The loves a community recognises are both a result of its moral outlook and a cause of the standards of that outlook. They are cause of it not in the sense that they stand before moral standards obtain and influence our choice of these, but in the sense that from within our morality they suggest creative revision and improvement. Love only can be experienced in a shared environment, through a community and hence a morality, and whether it encourages and recognises one's love, it is responsible for it.

Love, which is wholly discovered in a moral context, is the inner dynamic of morality. It is not merely 'another moral conception' because morality is that form of communication between individuals in limited and concrete situations which will turn out to be love. The situation is thus unlike that of rationality, theoretical activity, whose inner dynamic is simply the activity of theory itself: the potential of generated forms of explanation to replace the current ones by being explanatory of these. Because it is communication between individuals, morality has a purpose, a goal extrinsic to its own best (moral) standards: that communication between individuals is achieved. Rationality, however, has no goal extrinsic to its own best standards. Love, then, is both morality's dynamic and the, extra-moral, teleology of morality.

Moralities can be false, they can fail to embody in practice and understanding communication of individuals in particular situations. This does not, however, mean that a true morality can be described simply as one in which love is pursued, one in which individuals' communication becomes action arising solely from mutual displays of charity. I am not advocating love as the sole moral motive, a philosophical theory of love. The reason for this is that if we dedicate ourselves fully and exclusively to the experiencing of love and to creating the conditions so that others might experience love, without participation in any other social structure, except perhaps those which allow us to pursue love more efficiently, we sacrifice the element of understanding in love. To

chase the experience of love for itself is to pursue love basely, without understanding, and the experience which would result from this would not be communication of individuals in concrete, particular situations because it would simply be x having an experience of a certain sort and, perhaps, y, too having this experience. The theory which would advocate this would be one whose goal is the doing of charitable action, and which requires the experience of love merely as a catalyst for such action. The true union of individuals in communication, the union in which something is said and something heard, is not formed by two individuals having private and individual experiences: the communication requires the unity of experience with understanding. And this understanding, the understanding which makes the experience intelligible, is given only by participation in those practices and institutions society has evolved as the ways of dealing with concrete relations between individuals and by the understanding of these; that is, by morality. The understanding is given by morality because love occurs only in the context of morality, and this means both that the community is responsible for the conditioning of the experience and that the moral structures of the community are responsible for the understanding. Morality, then, cannot be 'overthrown' for love because love involves essentially forms of understanding, the faculties of judgement, and these make essential reference to the moral practices and forms of moral understanding of particular communities. If the intellectual component of love refers to a particular morality and there can as I have suggested be false moralities, moralities failing to effect communication between individuals as individuals - a notion still to be explained - then there is always the possibility of chaos within love itself, a dislocation between love and morality which manifests itself as a disharmony in love. And this disharmony, which is experienced primarily as something hurtful, is precisely, I would suggest, the common experience of those who find their loves at variance with the norms of society. It is not just a war between love and morality, but a war between the actual components of an individual's loving due to our inescapable conditioning in moral practice and understanding - something more tragic than a conflict of love and morality. The real implication of this analysis, then, is the frightening truth that morality, that which we create never as creator but only as participant, pervades right down into the depths of our experiences, even love, the most private one, so that structures outwith our control retain always the power to throw into chaos even those experiences which appear to be our least public ones. Far from overthrowing morality, as theorists of love sometimes claim, it is love that requires to armour itself against the inclination of morality to overthrow it. If the understanding component in love is necessarily moral - it makes essential reference to forms of moral practice and understanding - then a true morality, one in which the sort of communication which is love flourishes, must include every possible experience of love in the sense that it makes an understanding of every experience of love possible. This requires discussion. I have already said that moralities can be evaluated by an extra-moral standard even though there is no non-moral standard available to us. I said the evaluation of morality was by ethics, and that this



could not be understood without first understanding love. We have seen that neither our experience nor our understanding of love is explicable except within the moral context. So the understanding of (the experience of) love requires knowledge of morality; and the evaluation of morality, knowledge of true morality, requires an ethical standard outside any morality but acquired through one's own morality. How can a morality which may not be true, a set of social practices, institutions and understandings which may be ethically defective, provide ethical knowledge (knowledge of true morality)? How through our own morality can we achieve knowledge which may invalidate that very morality?

The theories of Aristotle and Aquinas may help to explain this. They look beyond morality as it is practiced to a Final End: although the moralities they reflect and contribute to have this in view, once eudaimonia is reached, it will be seen that the life of highest virtue or Beatitude makes redundant the moralities which culminate in it. Morality is the human process of instantiating eudaimonia as, and through the standards of, a community, but it is also the postponing of eudaimonia until a stage at which human life has surpassed the contingencies of morality and all social practices: as I say, until morality is replaced by the reality of communication of individuals as individuals, by love. This does not mean that the moral beliefs of a life which achieves eudaimonia were false: they succeeded; but at the level of eudaimonia, ethics, the possibility of morality is fully exhausted, and moral beliefs, though true, are redundant. Such accounts of ethics, and to a lesser extent the Kantian account (the Kingdom of Ends) and the utilitarian account (the felicific summum bonum), help explain how through morality we can acquire a form of knowledge which is not separate from our moral forms of understanding, but which is other than them and explanatorily superior to them since it is what they are intended to achieve.

This knowledge might be fully available to us even when our morality is quite imperfect as a means of realising the object of the knowledge, whether the imperfection is due to weakness of character or of intellect (Aquinas held the Natural Law is known to all), and so the knowledge might be available as an evaluative standard for moralities. This model, derived from eudaimonic thought, is well and good if it can be shown that there is an end or an object all moralities aim to achieve, and that it is the same for all moralities, whatever they might hold. What, in other words, might ethical knowledge consist in?

I said above that love can only be understood in relation to a morality, or morally. I have also said that moralities are contingent and dynamically developing sets of practices and institutions with the forms of understanding which accompany these. It follows that the understanding of love of a particular community, or from within that community, is also contingent. On the model of an indefinitely postponed yet 'imperfectly' realised eudaimonia (Aquinas's Imperfect and Perfect Beatitude) we can say that through contingent, even false, morality it is possible to have (true) ethical knowledge. The concepts in which we express this are very much a feature of our own morality, and are inadequate to the task of fully describing the 'life of ethics', the object of ethical knowledge, but as an expression of that object they may be

2 | sufficient for evaluating both our morality and that of others'. This understanding of ethics is contingent upon our particular moral circumstances but is knowledge of moral truth; similarly, the understanding of love, as I have presented it, is contingent upon particular moralities, though love exists at a level of experience whose reality is independent of the normative standards of particular communities. Love and the sort of knowledge I have been calling ethical knowledge, then, occupy structurally similar positions with regard to morality.

Ethical knowledge is possible from within even false moralities because it is knowledge which comes not from what we attempt to communicate on an individual level within our moralities, but from the human necessity of communicating on an individual level over concrete particular situations at all. Whatever individuals communicate in their moralities, we have the existence of shared practices and understandings of morality as the sign of the need wherever there is human life for communication at the individual level. This necessity, which is not the necessity of living as a community (this requires shared and developing theoretical activity also, rationality, as well as morality) but the necessity of a particular sort of individual communication, extends beyond the restrictions of the particular morality in which we follow it (moral practices and institutions are constantly altering), and stretches the experience of communication between individuals into future possibilities while allowing that it is, also, experienced now as participation in morality. As a necessary, though necessarily unconsummated, human experience which prompts morality, the 'life of ethics', whatever this is, can be used to evaluate moralities: so far as they promote communication between individuals on an individual basis, they are true; so far as they do not, they are false.

I have deliberately, of course, built love and ethics up in similar ways so as to make the formal claim that ethics, the term I have chosen for the complex communication of individuals, is love. I am not presenting a formal proof of this; something at first worrying, but later reassuring. As I have said, we are not required to give a proof of ethics, for our understanding of ethics is wholly conditioned, as it must be, by the concepts and form of our own morality, the set of ways by which our people communicate over concrete details and the ways in which they understand this. But as we cannot prove that ethics is, so we cannot prove what it is: what it is is again wholly a function of the beliefs of such as participate successfully within our practices and our ways of understanding. I have no business, then, with proving that morality is ethics is love: this may not be so for my, or any other, community. But what, then, is the meaning of my claim to be presenting a realist theory, the theory that moralities really are true, and are only true, so far as they promote love?

The meaning of this claim is that, unlike conceptions of rationality, interconnecting sets of moral practices and understandings can be described by a standard other than their own which gives normative grounds for changing them; they can be evaluated: they have a goal, one they can realise, but only imperfectly and partially, and from its perspective they can be described as true or false. This feature is not a contingent one of certain moralities; it remains in every morality, despite attempts to

eradicate it by making a morality self-sufficient. It is inseparable from morality because the basic necessity of communicating at the level of individual-to-individual contact, through the body whether by means of the body or not, is seen even in attempts to set up social practices and norms which are deliberately chosen to destroy such communication. It is this necessity, and not some particular concept of love, which I mean by 'love'. The inescapability of such a communicative necessity entails ethical truth, and the nature of the object of this necessity when we make it transparent is communication between individuals in a way which is unmediated by social forms or social roles: it is the complex of experience and understanding which consists in individuals communicating just as individuals; that is, love. No more direct proof is possible without violating the universality and contingency of the forms of explaining of individual communities. The coherence of my account of what love is must be judged by its role within the account of morality, and the defence of it against alternative notions of love. Morality on this account is the call to leave separateness, and to enter into individual-to-individual contact through means found acceptable to all likely to communicate on an individual basis, and to respect these means in our daily lives. The call itself is love which may be experienced outside these means and practices as giving reason to revise them, but which cannot be understood except in terms of these practices and our understanding of them. Through them we have an knowledge of love, ethics, which may be used to evaluate moralities and particular aspects of moralities. This knowledge, when combined with the experiential component of love, is the same felt need to break down the barriers of solitariness and make communication with other individuals which explains the growth and development of moralities. Yet this knowledge, the understanding in love, can be explained only in the context of present moral understanding, understanding of the practices and forms of our current morality.

The terms of this knowledge of moral truth will be those of the present morality. This is not uncontroversial, for 'the present morality' is the continuous object of debate and disagreement between those who hold different views concerning the details concerning individuals within social life. This debate is, however, the reality of the dynamism of morality I have in mind, and is not formless due to the possibility of the exercise of good judgement in accordance with accepted canons of rationality, and the possibility of ethical knowledge. The fact that there is something within the debate which can be confidently referred to as the present morality is itself a feature of the possibility of ethical knowledge: all morality is either a good or bad attempt at communication of individuals; from the standard of this communication, ethics, it is possible to discriminate those social structures which are dependent for their success on the communication of individuals, and those which are not. Those which are, whether they advance this communication or frustrate it (whether they are features of true or false moralities) are parts of moralities, and can be considered, together with all those social structures compatible with their success, as a morality of the present. 'The present morality' is simply a morality of the present to which the speaker belongs.

What are the objects of the knowledge of ethics, the moral truths? What must moral practices include if the morality is to be true? I will state these here, and explain them in chapter 7. They must include respect for the individual and for the means of communication at the individual level, that is, the moral practices and institutions of any but a false morality; concern for family life, the dignity of procreation, and certain limitations on sexual activity; knowledge must be valued; privacy must be valued; there must be a concern for the basic needs of individuals and communities. This listing of the content of ethical knowledge must be crude, for it must be possible for it to be formulated differently, according to the understandings of any true morality. Different true moralities may not be able to communicate with each other even about the contents of ethical knowledge, but in their practices and institutions, and in their own understandings of these, I believe each would exhibit respect for the individual, for all true moralities, for sex ordered primarily to birth, for the rearing and education of children, value for knowledge, and also for privacy - non-interference by individuals or state, and the serving of all basic needs (which will be specified). This is ethics: these six points constitute the understanding component in love. We can experience love without having this understanding, but the experience will not be intelligible. Knowing these points is to love intelligibly. They explain what morality is, and one who knows them through her morality, which may not express but is dependent upon them, may evaluate moralities. Moralities are understandings of love, then, but love can only be known morally; however, as love concerns the communication of individuals not as moral agents but simply as individuals, love exceeds and can reform moralities, both true ones and false ones. Whereas rationality is simply theoretical activity as pursued in a community, morality is not just practical standards of conduct pursued in communities. Neither, however, does morality have the precision of science. Rather, it falls between the two as contingently developing forms of communication between individuals which, whether or not it is respected as part of their end, has as its cause and its end the very formation of means of communication of individuals as individuals.

Before going on to defend my conception of love against others, and to consider the implications of this for the sort of moral theory we should write, I will summarise the position so far in the form of levels of explanation (Appendix 1).

My claim is that ethics is not just the theory of (theoretical study of) moralities, but the union of theory and practice (the understanding component and the experience component in love) as that communication between individuals which every true morality is an attempt to bring about, and every false morality an attempt, parasitically, to feed upon. The role of love in this analysis occupies a similar role to the concepts of life-form and language game in the later Wittgenstein (see the discussions of Holiday pp. 46-8, 60-1). As these are not theoretical constructs of social and behavioural phenomena, so love is not the explanation of morality and the description of true morality: it is the union of experience and understanding which is true morality, and which false morality is dependent upon. Ethics is not simply the theoretically



deeper expression of true morality, but actually is the truth of that morality, and yet a truth which never could be more than imperfectly realised, but is always also indefinitely postponed. The diagram of levels of explanation is, then, always only part of the story, for love is never just an explanation but, as it is knowledge and personal experience, always also a candidate for explanation, which must be given in terms of morality, the understanding within which can only be furnished by the understanding of love.

### Alternative Accounts of Love.

#### Aristophanes and Self-Sufficiency.

Plato's Symposium (trans. W. Hamilton, London; 1951) contains in the speech of Aristophanes one of the most famous and influential views of love. 'Love is simply the name for the desire and pursuit of the whole' (192e). According to the speech we were once perfectly self-sufficient beings, circular wholes which gave in to the 'overweening pride' of our self-sufficient states, and were punished by the gods with bisection. Our subsequent preoccupation with wholeness explains our desire for love - union with the bisected half. This is a myth, and we ought not to become involved with its detail, although to the exegete this cannot ever again be treated as mere preamble to the doctrine of Socrates since the startling analysis of the dialogue by Nussbaum (Fragility of Goodness, ch. 6). However, we can profitably discuss the speech in terms of a theory concerning need and sufficiency.

Ironically, Aristophanes' speech takes the sting out of the major criticism of such theories, what can be called the requirement of respect. The analysis of love for p as the satisfying of a need or lack of q's, even if in the process a lack of similar or equal importance of p's is addressed, sees certain characteristics of p as relevant for q's fulfilment, and in doing so treats p not as an integrated individual but merely as the possessor of certain relevant properties. Aristophanes, however, cannot be accused of violating the respect condition, because he is describing love not as the search for property-bearers, but for whole, integrated human beings. In fact, not only are we searching for individuals, but for one unique individual. The fact that once we find him or her we will unite because of the urge to become the sort of individuals we once were, does not imply what we are seeking is something less than a whole individual. It is, in fact, a particular individual that we seek. Aristophanes' speech is a myth, but we must consider that the need-analysis can be taken literally: the lover is an individual in need of what the beloved provides. This view of lover as consumer does not allow individuals to be conceived of as wholes: the lover does not see the other but only her characteristics, and he does not see himself in his experience of love but only his lack; the beloved does not see the other but only his need, and she does not see herself in her experience of love but only her capacity to satisfy the need. Why does respect for individuality matter in love, which appears precisely to weld individuals together? Primarily, because love, however it is expressed, involves the body and the body is

particular: the body's identity cannot be destroyed except by destroying it. As the body, like the intellect or sexuality, is what the individual is (he can be individuated by it), whenever the body is involved the individual is necessarily involved. As love involves the body, and so necessarily the individual, then if love is valued, it follows the individual must be respected. To see the loved one as bearer of needed properties is to both receive the gift of his whole self, bodily, and in other aspects, and to devalue and reject this gift by only acknowledging some part of it which is less than the offered whole. What is needed is taken, the remainder is discarded, and this is to reject both the precise gift offered and to devalue the giver; that is, not to respect the other's individuality. To believe when an individual offers himself that we have an option of accepting either whole or part, to ~~see~~ individuals in terms of wholes and parts, is to see them as objects. Objects are divisible. Living human bodies, human beings, however, are not objects precisely because they have the ability to communicate with other individual human beings as individuals. When we see another as (either) whole or part, we see him as object, and thereby deny what is determinate of his humanity, what makes this sort of individual not an object: his capacity to communicate as an individual, and not merely through social or species means. Respect, therefore, matters, and cannot be accounted for in a need-analysis of love.

#### Aristotelian Vulnerability.

'Without philoi nobody would choose to live, even if he had all the other goods' (N.E. 1155a5). 'The eudaimon needs philoi' (1169b). Aristotle is quite unequivocal concerning the role of love within the good life. His carefully developed conditions for love may be less convincing. The object of love must be separate from me; he must have a good; I wish him this good for his own sake, and he must also wish my good for my own sake; we must also share what we understand as living (1171b32-3). Loving, then, is mutual affection between two human beings who know each other, can wish each other's good for their own sakes', and who can share their lives. What is relevant is Aristotle's approach to the restrictions upon love. We can love another only if we can share what we both see as life or that for which we live; we can understand the other's good and wish it - and not as one of my goods, but because it is her good; and if she is capable of all this regarding me and my good. What the intellectualist Aristotelian tradition omits is what the disposition of charity captures: that when the conditions for full, sharing love are not fulfilled or have broken down, love is still possible in the forms of individual communicative activity such as compassionate consideration for another's welfare and for his good.

I have said before that a suddenly encountered and immediate demand upon love can exceed any other claims, including moral ones, before us, and have said this is so because it is not other than morality but the object of (true) moralities. I have also suggested that the compassionate action, referred to by us as 'charity', is not different from love, but one form of expression of non-erotic love: the providing of one or some of the ethical goods. Aristotle's understanding of love, though it talks of the comprehensive good of the other, perverts the relation of love and ethics. Love is

eudaimonia, not a part of it: we cannot know another's good, and know that part of this is to love him, to further his good. Rather, his good, and mine, is the communication I have called love, and our knowing this - the component of understanding in love - is what makes the experience of love intelligible, an intelligibility which will consist in the knowledge of the 'ethical goods'. Aristotle is superbly insightful: he explains love by eudaimonia, of which love itself is an element. But he is ultimately wrong because his exclusive reliance on theoretical explanation both of love and of the good of another makes impossible the intelligibility of the experience of love in such a case as that of compassionate action. Because eudaimonia, 'ethics' as I have called it, constitutes through the six ethical goods an understanding of love, and no more than an understanding of it, we can say that compassionate care of another and the experience of the inclination to this is entailed by love. a/

A theory such as Aristotle's fails because it places overwhelming weight upon a high degree of reciprocity of knowledge, lifestyle and concern for each other's good between individuals, and because it makes the knowledge - of another, of her view of life and her good - criterial for love and not simply a component of love. Aristotle's view is of a very genuine, if elevated, interplay between experience and understanding of well-acquainted, well-balanced individuals who are approximately equal in respect of their powers of understanding and of sympathy. It neither exhausts the varieties of love due to its restrictions, nor captures the essence of love due to its misjudgement of the relation of love to ethics.

#### Hume and the Impression of Love.

'Tis altogether impossible to give any definition of the passions of love and hatred; and that because they produce merely a simple impression, without any mixture or composition'; 'The virtue, knowledge, wit, good sense, good humour of any person produce love and esteem'; 'The object of love and hatred is evidently some thinking person; and... the sensation of the former passion is always agreeable' (Treatise, ed. L. A. Selby Bigge, Oxford, 1978, 2, 2, 1). This is the crux of Hume's discussion of the passion of love. Love is caused by, for example, beauty; its object is the possessor of that beauty which must always be a person or thinking being; and the cause of the passion produces a particular pleasure. When I love someone, then, some characteristics produce an agreeable effect upon me; this cause must be related to a person other than myself with whom I have some concern and it must produce an agreeable effect, a pleasure, from which arises the passion of love. The relation of ideas by which I consider this person an object of concern for me, and of impressions by which a pleasant impression leads to the passion of love being felt towards the person who is the source of the cause of this pleasure is the celebrated double relation of impressions and ideas of Hume. What is wrong with this and all sensation accounts of love is the role given to agreeableness. I have said we cannot break a human individual into a whole and its parts for the purpose of showing that answering needs is the essence of love; we certainly cannot do this for the purpose of explaining how the agreeable sensations certain characteristics such as beauty arouse constitute love. Hume's relation of ideas is, therefore, incorrect: the other in love is

obviously an object of great concern to me, but as the individual I love and not as the source of the cause of certain of my agreeable sensations. But it is not just the part/whole approach which is wrong with Hume's account. It is the idea that love arises only from agreeable sensations. Here we must distinguish love, of whatever sort, from the experience of falling in love, what Erich Fromm has called 'the sudden collapse of the barriers which existed until that moment between two strangers' (The Art of Loving, London; 1988, p. 48). The exhilaration of this moment is, of course, the consummation, or a consummation, of all lesser pleasant sensations. And in all loving, sensations as pleasurable as this, or reminiscent of this, will occur; not only in erotic love: this is merely the archetype of the pleasure which is afforded by communication of individuals as individuals, as bodily creatures. However, an understanding of love must also explain love as something which continues when there is no pleasure, even no experiencing, left. It is only because love can continue beyond agreeableness that we do not have to live our entire lives in fear of a loss of heightened experiences. It is in this space beyond immediate pleasurable feeling that the structures of trust, faith, fidelity and personal growth can be developed. These ways in which love outlives experience form what I have called the understanding component of love.

If love is a sort of communication, part of what is involved is that something is said. Sounds need not be uttered, but something is passed by one individual and received by another. What is passed is what I have said is studied by ethics and embodied within true moralities, the goods of respect and privacy, knowledge and concern for individual welfare. When the pleasurable of love reduces, the same things are 'said' - if we use the term carefully, the same 'goods' are offered - and respect, concern for needs and so on survive within such commitments as fidelity, trust, gentleness - in fact, the elements of the disposition of charity when this is not being actually exercised in the experience of loving. Thus the understanding of love which makes the experience of loving intelligible can survive the finish of that experience, and, in particular, the cessation of the pleasure of the experience. This should not be surprising because, as Hume rightly saw, the pleasant sensations within love are the consequence of a relation of ideas: the pleasure is a function of the intelligibility of our experience of love, which is conferred by the understanding; and the pleasure is therefore, unsurprisingly, survived by the understanding.

#### Kant and Pathology.

At the extreme from Hume is Kantian practical, non-pathological love. 'Love, as an affection, cannot be commanded, but beneficence for duty's sake may... This is practical love, and not pathological - a love which is seated in the will, and not in the propensions of sense - in principles of action and not of tender sympathy; and it is this love alone which can be commanded' (Gr. 399).

Kantian love is a practical attitude of will. The good will determines itself towards duty because it is dutiful, and only this has moral worth. No inclination whatsoever enters into the determination to action of the good will. Love is the determination of this will not to action which helps others, but to action which



attempts to help others to the extent to which the formal properties of reason show that such action can be the subject of a categorical imperative. Kant is not so fierce in M.M., as we have seen, but the basic attitude to love remains that it is the state of the will when determined to beneficent action by pure reason.

What can be said about love as practical reason? First, love is not practical because in loving, although we do things, what we do has no end other than itself. We communicate in loving, and we express this communication in different ways, but this is not part of the world of ends and aims, attempts and achievements. Love is doing, but it is not doing in order to..., or doing for...; it is the activity which in experiences of love, and, 'imperfectly', in our moralities, succeeds in realising its own end. Love takes us out of the field of the practical, the area of morality, even if our morality is a true one, for the understanding in love, in which ethics consists, is not functioning to give us the knowledge for further (moral) action, but is simply interpreting and making coherent for us the love we are experiencing. Love includes understanding as well as experience, and this understanding is not merely the provision of new theoretical information relevant for the performance of continued activity, but actually is essential to coherent experiences of love. Therefore, love is not practical.

Love involves reason in so far as it is understanding, but love is also experience. The understanding in love is always ethical understanding, and it is always reached through our morality. Moral standards reflect the standards of rational explanation of action of our community. Love, therefore, involves rationality. But it is also experience, and experience may show the accepted moral standards are defective, and that any supporting rational forms of explanation are invalid. Therefore, the experience of love may give reason to transcend or rather to develop the conception of rationality.

Love is not practical reason because practical reason, pursuit of moral ends by rational means, may function instrumentally within a false morality. Within a true morality love is the end of practical reason, that which is promoted in our social practices and our understandings of them. But, again, it is not identical to practical reason because at its fullest the experience of love excludes reason altogether: the component of understanding in love ceases to provide knowledge (the ethical knowledge we acquire through action and reflection in our (true) morality), and simply functions to make the individual's experience coherent as an expression of that knowledge: the communication of individuals as individuals.

#### Pleasure and Gert.

Bernard Gert writes, 'To love someone is to take pleasure in his pleasure... To be loved is to have someone take pleasure in your pleasure... To love someone who loves you is one of the most glorious things that can happen, for pleasure builds on pleasure as is possible in no other way... It is a feeling - a feeling of pleasure at the pleasure of another' (Moral Rules, p. 144).

This, like all Gert's writing, is marked by a cocksureness whose real value is the challenge it throws down to overthrow his proclamations. Pleasure is so important, he believes, because it is one of the goods which no rational man could risk losing without possessing further adequate reason so to act. Gert has definitions of

great exactitude of all these terms which prepare one for discovering some truth which cannot be established inter- definitionally. That truth, when it comes, has two components: the concept of self-interest can be understood as not being killed, not suffering pain, disablement, or loss of pleasure or freedom and opportunity; to act contrary to self-interest for no reason is to act irrationally (p.37).

I am not concerned here with the status of the basic goods, or the lack of argument for them, but with the intrinsic goodness of pleasure which qualifies it for its role in the analysis of love. It is persuasive that to act contrary to self-interest with no further reason, where self-interest is understood as Gert understands it, is irrationality. This, however, involves a sleight of hand. The only 'further reason' there could be for inflicting such a harm upon oneself is the avoidance in some way or another of a basic evil, and Gert's list is of sufficient generality to accommodate all of these. Thus, if I believe self-interest is protection against Gert's five evils, to harm myself by inflicting one of these on myself and not to do so for the reason of preventing myself suffering another of them is irrational not just, as Gert says, because of the great seriousness of the harm, but because collectively this set of 'evils' exhausts the possibilities of coherence of action within one system of explanation of action.

Gert's basic goods and evils are explanatorily useless because they are not ends or conditions of action, but the limits of the intelligibility of action within a particular conception of rationality. Transgressing them for no further reason is necessarily irrationality because collectively they set all the possibilities of rational action within a particular understanding of rationality. When Gert suggests there is something of basic rational significance about not violating certain goods, he has actually simply taken the most general bordering conditions of a particular understanding of rationality; he has not located a set of absolute 'goods' and 'evils'. Because of this, none of his intrinsic goods can be held to be intrinsic in an sense of 'intrinsic' which means it is something more than the construct of a particular conception of rationality. Pleasure, then, is not an intrinsic good.

Even though Gert is wrong and pleasure is not an intrinsic good, could it not be that love is taking pleasure in another's pleasure? It is certainly not sufficient. I may get pleasure from the sight of the pleasure of the Royal princes at Balmoral, but I in no way love them. I may actually detest them, and the activities which are giving them pleasure, and even grudge them their pleasure, yet suddenly discover the feeling of pleasure arise in me through watching their pleasure. There is judgement in love as well as feeling. Gert's account omits the understanding in love. It is also not a necessary component of love since I may fail to get pleasure from her pleasure, or any other form of her good, yet still approve it, know it is good for her and welcome it, and love her through all of this. If someone loves a wrestler, hates wrestling, cannot understand how he gets pleasure from wrestling, feels no pleasure even at the thought of his great pleasure in wrestling because of what this is pleasure in, but wants his happiness and approves his wrestling because it leads to this, then I do not believe we can say

she does not love him. Pleasure is neither well-grounded as an intrinsic good, nor an intrinsic part of love.

#### Fromm, and The Art of Loving.

Fromm is excellent on love, though despite what he says, I think his book is more a practical guide than a theory of love. His theory of human nature explains that man, arising from, transcending but not escaping his nature, is 'life being aware of itself'

(p.14). Awareness is reason, and shows our lack of control over past and present: we are helpless, alone, and worse of all, separate. Awareness of separation leads to anxiety, and this can only be overcome by union. The only satisfying sort of union is love, 'union under the condition of preserving one's integrity, one's individuality' (p.24). Love is giving - 'in giving he cannot help bringing something to life in the other person, and this which is brought to life reflects back to him; in truly giving, he cannot help receiving that which is given back to him' (p.27). Love always implies care, responsibility, respect and knowledge. In love, however, we know each other without any desire to know. Care, responsibility, respect and knowledge are themselves ultimately stilled by love which is inter-penetration of the essences of each other. The four values do not, however, become irrelevant because complete union with another is knowing him, respecting him as him, caring for him, and responding to him. There are a number of forms of love, but the most basic is brotherly love 'which is based on the experience that we are all one' (p.44). Brotherly love begins with love of the poor and the helpless: 'Only in the love of those who do not serve a purpose love begins to unfold' (p.45).

Fromm knows love is ultimately all that matters, but he believes the understanding of love is psychological. Therefore he gives a wonderful series of discussions of the lack of love. I have claimed the understanding of love is linguistic, a matter of communication. Thus we understand love by searching for its meaning; this is the specific role of morality. Through our social practices, institutions and our communal understanding of these we approach the meaning of love. I believe it is only here and not through the having and analysis of individual experiences of love that we can come to an understanding of love. I also believe that not even a true morality will have a perfect understanding of love, because love is also experience: the two are inseparable within a relation of intelligibility which can be decried partially and imperfectly by the practice and understanding of a morality which promotes the ethical goods, and, possibly, perfectly within our experiences of loving communication. Neither analysis of personal experience, nor the fullest understanding of love in terms of the ethical goods through particular true moralities gives real knowledge of love: if this comes, it comes only from the complex within personal loving experience.

What, then, is 'real' knowledge of love? I agree with Fromm that it is the knowledge that stops all enquiry, the knowledge which ceases to be part of theoretical activity, rationality, at all. To enquire about love will be an unsuccessful activity unless we are willing to accept its conclusion will not be given solely in theoretical terms, but in the union of those terms with experience. However, Fromm

would want to say this is a form of knowledge which puts an end to all other, normal, knowing: knowledge become pure experience, whereas I want to say it is experience in which understanding has transcended its function of providing ethical knowledge and is simply understanding the experience itself, making it intelligible. Not even the deepest or the most mystical love can break from understanding and become 'sheer' experience because we are individual and rational creatures, creatures of awareness, and without understanding, experience for us would revert to unintelligibility. So in the fullest experience of love understanding does not cease, but simply understands the experience itself, not as anything, not in a knowledge-giving way, but simply by making it coherent. Since my understanding of love is linguistic, a matter of morality's expression of the meaning of love, I can claim, unlike Fromm, that the experience of love is not mysterious. Love is between individuals communicating as individuals in the context of a morality which might accept or require their love, or which can be broken to accommodate it. Even the deepest, the least epistemic, experience of love is a particular experience to be explained either by its moral permissibility or obligatoriness, or by its authority to alter and revise current morality because of the ethical knowledge it includes. Because morality is love's meaning, even an experience of love which goes beyond understanding does not escape our conceptual grasp: it either can be explained in terms of present morality or can explain the inadequacy of present morality. If love could only be understood psychologically, its deepest forms would exceed our awareness, and therefore become separate from those forms of love which involve care, respect, responsibility and knowledge, or on my theory, the ethical goods. My explanation of morality as the meaning of love, and true morality as not only dependent upon but promoting the objects of ethical knowledge which constitute the understanding in love, seems to provide a philosophical account of all forms of love, including those in which the understanding ceases to provide knowledge but merely makes the love intelligible.

My theory of morality will have eventually to be related to my account of rationality, in particular my conception of ethics will have to be related to my conception of theoretical activity. It is first worth making clear that my moral theory means that certain sorts of moral philosophy, whatever other comforts or interests they offer, do not constitute moral theory. Moral theory has three functions: to indicate what our morality is (how our social practices and institutions relate; how these account for our standards of behaviour in public and private relations; and what forms our understanding of morality takes - the ways in which we explain and justify our behaviour and that of others'); to evaluate present morality in terms of ethics (the application of the ethical knowledge which forms the understanding component of love); to evaluate morality in terms of the experience of love (the experiential component).

Those analytic philosophers not writing such theories, and this is most of them, present a problem to me because I cannot understand just what it is they are doing. Those analysing moral vocabulary, for example, provide a useful service, and work perhaps relevant to social anthropology, linguistic theory, semantic theory and so on. The fact



that the subject of their work is moral language, however, no more qualifies it as moral theory than the study of gambling terminology constitutes a theoretical study of gambling. It neither shows nor relates anything within morality, evaluates moralities, or suggests revisions of morality. Analysis of moral language is, of course, on the decline, but the trend it leaves behind, the impression that not to study moral vocabulary is not to theorise seriously, is a terrible legacy which can be seen to hamper even the best work within the new analytical fad of 'practical ethics'.

What sort of theories, then, ought we to have? First, those which show what our morality is, including its ambiguities and its errors - the fact it is not a coherent system of rules or principles, but an attempt by individuals to make smooth their personal relations with other individuals against the necessity of their living in communities. I say 'show' because if we dethrone the methods of analyticity, it may be sometime before alternative models appear and this should not prevent us meantime from writing moral theory. Tolstoy, most obviously in War and Peace (trans. R. Edmonds, Penguin, 1978), and Jane Austen, particularly in Emma (ed. R. Blythe, Penguin; 1966) and Mansfield Park (ed. T. Tanner, Penguin; 1966) show moralities consummately. MacIntyre and Nussbaum have developed their own successful methods of showing particular moralities. Amongst analytic philosophers most of the credit for revealing the details of present morality must go to those within jurisprudence and political philosophy: Hart's and Devlin's debate on the nature of socially harmless immoralities, Hart's Concept of Law (Oxford; 1979), Dworkin's Matter of Principle (Oxford; 1985), McCormick's Legal Reasoning and Legal Theory (Oxford; 1978), Sumner's The Moral Foundation of Rights, Benn's A Theory of Freedom (Cambridge; 1988), and The Authority of Law (Oxford; 1990), Raz's The Morality of Freedom (Oxford; 1986) indicate the nature of our moral practices and legal institutions and our understanding of these within our overall morality. Work in the medical field is considerably less advanced, basically because it lacks the written moral tradition.

Professional analytic philosophers prefer to select individual practical 'concepts' (Kenny, The Logic of Nuclear Deterrence, London, 1985; O'Neill, Faces of Hunger; T. Regan, The case for Animal Rights, London, 1988; Radden, Reason and Madness; Tooley, Abortion and Infanticide, Oxford, 1983). The disappointment in this is that it means that the wider questions of why abortion? when? how? and for whom? become relegated to parts of a theory concerning abortion, rather than being part of a description of our morality in the context of which it is explained how abortions occur, and how we explain and justify them. This fragmenting of the overall context of a particular morality gives rise to the complaint that the writer has not done the topic justice, he 'has not entered into the reality of the situation of an abortion'. This is frustration that the writer with his ability and resources has not succeeded in entering into the fullness of the social arrangements in which this problem occurs and must be addressed, but has simply applied the tools of his trade to a 'concept'. Such failures are at least honourable, whereas the worst moral theories are those which try to both express current morality and to claim that their expression of it represents 'the truth' about morality irrespective of context. Here the worst

offenders are preference utilitarianism of the market-place which takes capitalist morality of exchange and builds this into pseudo-scientific theory of rational and moral decision making, and theories of justice and fairness which take the fact that modern industrial society fails to promote charity as justification for constructing a formal theory of cold logic to explain our formation of morality as a self-protective compromise.

The second type of moral theory evaluates moralities by ethical knowledge. The standard of ethical knowledge has been expressed in many different ways; necessarily, because as we saw, it is known only through particular moralities. A concept of human nature is invoked; some faculty, conscience or consciousness, is appealed to; the virtues are listed; Spinozistic essential preservation or Hobbesian contractual preservation is introduced; God, or a basic faculty of intuition is involved. However, the separation of the two layers of morality and ethics, which ought to indicate the actual relation between the two, comes to be seen as unnecessary proliferation, and the ethical is brought, sometimes surreptitiously, within the domain of morality. There are exceptions. Strawson ('Social Morality and Individual Ideal' in Freedom and Resentment, London; 1976) has the basic distinction, and Hare has something like it in 'Ethical Theory and Utilitarianism' (in H. D. Lewis, ed. Contemporary British Philosophy, vol. 4, 1976). But the process of philosophising by criticising the essays, occasionally the books, of other philosophers tends to lose the opportunity of evaluating individual moralities by constructing through the methods of understanding within these moralities an expression of the ethical goods, an account of ethical knowledge.

There are, however, some who succeed in this. Herbert McCabe's work in social thought and the place of the church, Lovibond's and Holiday's attempts to create a Wittgensteinian ethics, Rorty's pragmatic liberalism, T. Sprigge's attempt to create an extra-moral dimension of value in the idealist tradition, G. Thomson's (Needs, London; 1987), M. Ignatieff's (Needs of Strangers) and M. Midgeley's (Beast and Man, London; 1980) attempts to revive the concept of human nature in terms of needs succeed in creating accounts of ethical knowledge from within particular moralities. In our age, uniquely it seems, accounts of ethical knowledge are rare, and this cannot be something to be welcomed.

Finally, moral theory which evaluates morality from the standpoint of the experience of love has the most difficult task. Love is always experienced within the context of morality, either as morally admirable or permissible, or as experience which requires the transformation of morality in order to capture it. When love as experience evaluates morality it is not experience without understanding - the understanding component of love which consists in knowledge of the ethical goods acquired through the forms of our moral understanding - but experience in which the understanding is functioning to make the experience intelligible. Such experiences are capable of evaluating morality because they force us to ask the question: to what extent is morality succeeding in the task of communicating the meaning of these experiences to our community? Whether it requires or allows this experience, or whether it requires to be revised to accommodate this experience, does the morality succeed in expressing the meaning of the experience?

This area of moral theory is understandably the hardest to furnish. The evaluation of morality here cannot be ultimately a rational one because the conception of rationality is linked already in complex relationship with the morality whose standards of explanation and justification it reflects and creates. Ultimately, then, derivation of morality from rationality (Gauthier, Practical Reason, Oxford; 1963, Morals by Agreement; Gert; Harsanyi), from language (Hare; Kenny; Foot), from primary political, legal and social justice considerations (Rawls; Nozick; Feinberg; Benn; Dworkin; Finnis), from attitudes and psychology (Parfit; Stevenson; Nagel; Anscombe) should all defer before evaluation of current morality by individual experiences of love. The theories in which this is accomplished would have to turn from such structural derivations, and discover in other areas models by which we might relate the experience of love and contemporary morality so as to be able to evaluate it and all other moralities and moral attitudes. Such theories might turn to metaphysics to seek as Kant did a conception which relates love and (true) morality, the regulative ideas. Or they could look to the perspectives of theology, existentialist thought, psychoanalysis, or poetic literature. These have in common the ability to frame a language in which the experience of love is made accessible to, and as, the standard of morality. The 'morality of experience' is little heeded because some, especially philosophers, increasingly question the 'reality' or 'objectivity' of the experience of love, and treat it, when they do, as another 'concept' upon the canvas of human experiences. If I am correct, the experience of love is not a part of our experience, but the way in which understanding and experience can unite to make our individual experiences open to the experiences of others as the communicative union which moralities must depend upon, and ought to promote.

## Chapter Six.

My claim has been that rationality is theoretical activity. The theoretical activity which philosophy has engaged in recently has very often had as its object conceptions of rationality themselves. Two areas in particular in current theory of rationality are pursued: temporary breakdowns or incompetencies in reasoning; more permanent breakdowns, and dispositions of incompetence towards moral and social evaluations. It is part of the current drift of philosophers of mind and moral philosophers towards 'practical' philosophy that rationality should be so often discussed with relation to cases of irrationality, and cases of gross abnormality or insanity.

Before considering this recent work we must be clear concerning the status of theory of rationality and philosophical theory in general. My claim is that theorising, intellectual activity of whatever sort, is both the exercising of, and the creating of, norms of rationality: exercising the rational capacities, but also determining what are to be the rational capacities, what counts as rational (behaviour). If inferential thought and consistency of thought, when, and to what degree? If self-interest, unrestrictedly? If neglect of personal interest for the sake of the general lot, should this be followed even to the denial of personal ideals and the neglect of the demands of friendship? The only restriction, on my view, of what counts as rationality is social consensus. This is revealed in the interaction of members of the community within and towards the practices and institutions of enquiry, the practices and institutions of their shared everyday lives - their morality - and, to some extent, in the relation of their morality to the situation of the community as an enquiring body. Intellectual enquiry, then, of the kind which instantiates and frequently transforms the canons of rationality of a community, can be characterised as enquiry which has as its object something which can be shared in, intelligibly or as received benefits, by the whole social community.

This does not mean that the enquiries of the Druids or of crystal ball gazers can play no part in determining rationality within our twentieth century European communities, but it does mean that the opinions of politicians, media, academics hired by the media, medical experts and teachers play a much greater part. Their enquiries are shareable by the whole community, and to a very great extent determine the standards and the possibilities of sharing, because of the histories which can be written in which such enquiries play a successful and increasing role. On this criterion philosophers obviously play a very minor role in determining the rationality of our communities. On the whole they have not managed to make their enquiries shareable; it is not often we encounter a clear case of the philosopher providing tangible benefits in which the whole community can share.

Despite this, it must be remembered that philosophers carry the responsibility for one unique part of theoretical enquiry. Philosophers, clearly since Plato, have had the task of explaining the nature and role of theory of rationality itself. They



must explain from age to age and community to community what theory of rationality is. The only way in which they can do this is by explaining the conception of rationality of the community which forms their chosen object of study; the details of the relation of the various components of this conception as they are determined by philosophers, moral philosophers and others when engaged in theoretical enquiries concerning or not concerning everyday shared life to various specialised areas of intellectual enquiry within the community, and to its morality; the relation of current rationality to the rationality instantiated in this community previously, and to the conceptions of rationality of other communities, particularly as these are explained by other philosophers. Philosophy, then, has a primary task and responsibility not of determining and exercising rationality, but of theoretical study of rationality in all its aspects. In doing this it will contribute to the determination and exercise of rationality, but this will be a contribution: it is not its defining task or responsibility.

As with every form of theorising, philosophy has a particular purpose - for philosophy the study of rationality itself - which is itself determined by the traditional understanding of rationality of a particular social community. Philosophers must, then, first have a historical understanding, and must be aware of, and willing to consider the relations of, a manifold of different study disciplines. The same holds for moral philosophers who must possess both this, and a knowledge of moralities - the shared lives of particular communities, and the histories of any relations between these. Even when philosophy does not have an interactive, communicative role in a society, its function of scrutinising conceptions of rationality, the methods and structures of human communication themselves, makes it of value.

The problem with the contemporary functionalist school of analysis of individual irrationalities is the failure to see particular distortions of reasoning in the context of particular and specific conceptions of rationality. The problem with studies of the social and moral evaluations of gross abnormalities is the failure to see particular evaluations in the context of particular moralities and conceptions of rationality.

#### Donald Davidson.

The major functionalist interpretation is that being built up by Davidson in a series of essays ('How is Weakness of the Will Possible?' in Essays on Action and Events, Oxford; 1980; 'The Paradoxes of Irrationality' in Freud: A Collection of Philosophical Essays, ed. R. Wolheim, New York; 1974; 'Deception and Division' in The Multiple Self, ed. J. Elster, Cambridge; 1987; 'Incoherence and Irrationality' in Dialectica Vol. 39) owing much to the work of D. Pears (Questions in Philosophy of Mind, London; 1975; 'Motivated Irrationality' in ed. R. Wolheim; Motivated Irrationality, Oxford; 1984). Davidson's problem begins with the paradox in the explanation of irrationality. To successfully explain it we must bring it within the orbit of standards of explanation which confer intelligibility on the process of forming a deviant desire, belief or intention, but to do this is to rationalise the deviance and so to let the irrationality slip away as nothing more than the result of our slowness in explaining unusual mental

phenomena. If we are to retain the phenomena and explain it 'we must find a way to keep what is essential to the character of the mental - which requires preserving a background of rationality - while allowing forms of causality that depart from the norms of rationality' (Dialectica Vol.39 p.347). We need, he says, 'a mental cause of an attitude, but where the cause is not a reason for the attitude it explains'.

Davidson develops the position that at least in the common irrationalities of akrasia, self-deception, wishful thinking, and 'weakness of the warrant' irrationality of beliefs and other 'propositional attitudes' arises always because of some inconsistency between the attitude and some element within the overall pattern. One who forms a judgement or belief contrary to her best evidence is in a state of inner inconsistency so far as she also holds the general principles that one ought always to form beliefs according to the best supported hypothesis, and judgements according to the reason one acknowledges to be best. When we place this alongside the point that irrationality is to be explained by citing the cause of a mental event which yet is not a reason for it, which lacks some logical relation to it, we have the problem of explaining how propositional attitudes are caused in such a way that there is 'inner inconsistency' in the agent who forms them. We must explain how they are formed by him, but nonetheless how this formation is the result of a non-rationalising causation, a causation conceptually closer to physical causation than the normal formation of beliefs.

Davidson is clear in 'Deception and Division' (p.91) that this experience is a sequence and not an event, but he is also clear that the causal analysis of inner inconsistency requires that at some one point there is a definite mental cause which is not a reason. The irrational agent does believe inconsistent propositions. He does this - it must be possible for us to give some (rationalising) explanation of it - yet it is the result of a mental causation which cannot be rationalised - it is unintelligible given our norms of rationality. Our concept of integrated and consistent agency cannot rationalise the irrational; it cannot accommodate non-rational causes of propositional attitudes - or at least it cannot while maintaining that the break up of the unity of the mind is impossible. Faced with the facts of irrationality, however, and the paradox in the explanation of it, Davidson argues that we must look to the only occasion we know of on which there is non-rationalising mental causation, that is, 'when cause and effect occur in different minds' (Wolheim p.300), and assert that in the case of at least some irrationalities we just do have an instance of one individual possessing different minds. 'If we are going to explain irrationality at all, it seems we must assume that the mind can be partitioned into quasi-independent structures that interact' (Wolheim, p.300). When a part of the mind shows 'a larger degree of consistency or rationality than is attributed to the whole' (p.300) mental partitioning should be assumed.

However, Davidson also asks why such things as internal consistency matter, why they constitute rational criteria. It might, after all, be claimed such criteria are no more objective than others, but merely a philosopher's preference. His answer is that such principles as basic logical ones, principles of decision theory, and the principles of

continence and total evidence are held by any creature which forms propositional attitudes or acts intentionally. Whenever anyone can be said to have formed a belief, desire or intention there are certain logical relations between these, and between them and the world which make them the beliefs, desires and intentions that they are. They must keep these relations: 'Such relations are constitutive of the propositional attitudes' (Dialectica p.352). And 'keeping these relations' amongst one's beliefs is what we refer to as 'subscribing to' these very basic principles of logic, evidence and continence. These basic norms of rationality must be, largely, complied with otherwise the individual cannot be said to have thoughts at all. Rationality is constitutive of thought, and there is no true decision about whether to subscribe to fundamental norms of rationality or not, since to consider the matter is to demonstrate the subscription.

As we cannot generally fail to conform to these principles, then to, occasionally, fail to do so is clearly to violate our own standards, and so to demonstrate inner inconsistency. This violation is clearly possible, and it is clearly not violation of merely first person or loosely subjective criteria. (Davidson's argument here is a clearer version of that which appears at ed. Elster p.84).

This argument ought to be criticised at three points. First, the paradox in explaining the irrational which requires the utilisation of the separate vocabularies of reasons and causes; then, the claim that irrationality is always inner inconsistency; and then the argument for there being inescapable and universal rational norms for any creature capable of forming propositional attitudes.

First, the paradox Davidson raises seems avoidable. There is only a problem in retaining irrationalities once they have been rationalised if the explanation given of them is not compatible with the attempted explanation of them given by the normal process of mental rationalisation. That is, if the normal, and in this case unsuccessful, way of explaining the formation of beliefs and the explanation to be given of the formation of this irrational belief do not contradict each other, it is possible for a belief to be rationalised in one vocabulary and for its irrationality to be retained in the other, normal, one in which it resists analysis. It seems to me that in the case of irrational attitudes this is exactly what happens: an expert (philosophical, clinical, theological) vocabulary is introduced which is compatible with the normal, everyday means of explaining the mental, but expands their resources. The increase in conceptual resources which the vocabulary of psychoanalysis or the Inquisition grants does not indicate new awareness of extra mental processes or data of consciousness - though it may be with such picturesque metaphors that the expert draws attention to the conceptual richness of his scheme - but simply makes it possible to describe previously worrying attitudes in ways that are frightening from the point of view of the normal vocabulary but no longer mysterious. Not only need there be no paradox, then, but there need be no appeal to a hitherto unknown sort of mental cause, or to the sort of semi-independent structures within an agent which non-rationalising causation implies. The possibility of compatible yet independent rationalising vocabularies depends upon the picture of rationality as open to constant change and as much more of a 'game' concept than Davidsonian 'reason' ever appears

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to be. Such a picture, of course, is the one I have been trying to build up.

A second difference between my understanding of rationality and Davidson's is the role given to consistency. By appealing to principles of total basicness Davidson is able to describe all irrationality as inconsistency: if you reach the most basic principles of thought and action, these must be 'held' by every agent, so irrationality is always describable as departure from them, inconsistency with them. At Wolheim p. 305 he acknowledges that the sort of inconsistency he has been suggesting is not sufficient for rationality - non-rationalising mental causation does occur in other cases. It certainly seems implausible to suggest that in all irrationality some form of formal inconsistency, or inconsistency expressible in formal terms, is not necessary. However, some have recently introduced peculiarities of policy or personality which are not inconsistencies, and which do not depend upon pursuit of unintelligible objects, but which do appear paradigmatically irrational. Nagel asks (The Possibility of Altruism, Oxford; 1970, p. 45) whether it would be irrational to desire to plant parsley on the Moon, and Parfit (Reasons and Persons, Oxford; 1984, p124/5) considers the cases of 'Within-A-Mile Altruism' and the 'Future-Tuesday Indifferent'. The standard line is that these represent merely whims, obsessions or compulsions. But this merely strengthens the question: such bizarre, though not harmful, projects and patterns of behaviour are popular irrationalities, yet, since there is no formal inconsistency, must we call them rational?

Davidson believes irrationality is inconsistency because in all irrationality deep principles are held and violated. But the norms we feel violated in the cases of compulsive hand-washers, examples of sheer arbitrariness with regard to behaviour we hold to be serious, the man who believes he is made of glass (Gert, Moral Rules, p. 21) appear to be in their own way as deeply held as principles of logic and evidence, and in addition, consciously held and reflected upon, and the point with them is they are not held by the agent concerned. He does not hold them, and is therefore not inconsistent in his violation of them, yet in his deviation from them he is considered to be guilty of a non-conformity, an irrationality, as deep as the internal inconsistencies of akrasia and self-deception. This line cannot be fully pursued until we consider issues connected with judgements of insanity, but the point is that even if inner inconsistency is fundamental because of the basicness of certain principles, it cannot be held it is fundamental to irrationality unless my examples concerning the basicness of certain norm violations are either answered or related to 'formal inconsistency' irrationality in a system of descriptions of unreasonablenesses. It may turn out that inconsistency, even if it always occurs in cases of irrationality, may not actually form part of the irrationality itself. And this is a possibility Davidson does not discuss.

The third point I wish to discuss is the argument that there are basic principles without which a creature could not be said to have propositional attitudes, which principles ought then to be described as bedrock of an account of rationality which is objective, and which does not appeal, at least at its base, to standards of subjective consensus. The heart of Davidson's argument is that without certain



fundamental norms, there is no thought, from which it follows that without them, there is no rationality. At Dialectica p. 352 he writes: 'Rationality, in this primitive sense, is a condition of having thoughts at all.' The basic norms of rationality are indispensable to the formation of propositional attitudes, the having of thoughts, in which case it is not even sensible to ask whether they are dispensable or indispensable norms of rationality.

Now, my first point is simply that even if it is true that there are certain norms without which there is no thought, and that this implies that without these there is also no rationality, it does not follow that adherence to these norms is sufficient for rationality. This is obvious, of course: the necessary conditions for thought may be necessary conditions for rationality, but even if they are sufficient for thought, they are not sufficient for rationality because irrational thoughts do occur. The norms necessary for thought are the logical relations between propositional attitudes, and between them and the world, and they are not sufficient for rationality, Davidson would say, because logical distortions can occur. However, such errors in logic as occur in irrationality are different from errors in arithmetic or complex inference just because the rationalising stories of ignorance, forgetfulness, carelessness and so on cannot be told about them, in addition to which they are usually motivated or related to attitudes which are motivated. Davidson has, of course, his own 'compartmentalist' analysis of this form of logical distortion based on the greater consistency of mental part than of mental whole. But although this may allow us to describe certain irrationalities, it cannot provide a sufficient explanation of irrationality any more than 'adherence to constitutive principles' can provide a sufficient explanation of rationality.

The problem is that since for Davidson holding these principles is not a matter of choice, but consists in the capacity for forming propositional attitudes, the capacity for thought itself, the inconsistency in irrationality could only be described as having a belief or intention which is inconsistent with the capacity to form propositional attitudes, a failure 'within the House of Reason itself'. This would not, of course, mean the capacity for reason has gone, but that in some way the capacity for forming propositional attitudes has been violated or abducted; within the rational capacities themselves some disorder has occurred. However, it is clear that the irrational attitude which has been formed is a propositional attitude, and, therefore, it is quite unclear in what way the capacity for forming such attitudes can have been at all seriously affected. To describe the inconsistency as centred upon an independent structure in the mind which has succeeded in collecting greater logical cohesion than the whole mind does not solve the problem. It is, as Davidson is relieved to agree, to rationalise the irrationality, but it is not, as he wishes, to retain its irrationality: an attitude has been formed; there is therefore no indication from this of how there might be incapacity of thought; the partitioning model, therefore, though it captures the notion of non-rationalising mental cause, does not capture the actual centre of irrationality so far as this is considered to be an inconsistency between a mental attitude and one of those principles in which the capacity to form mental attitudes consists.

My claim, then, is that Davidson's way of describing irrationality - as internal inconsistency - which requires the assumption of principles constitutive of the rational nature of any agent makes the actual moment of irrationality, the moment in which it consists, impossible to discover. The claim of inconsistency and the claim of constitutive principles must conflict: whenever a mental attitude of whatever degree of inconsistency is formed the inconsistency cannot be with a principle so basic that its operation consists in the capacity to form mental attitudes - the very existence of the irrational attitude shows that. And the mental compartmentalisation model cannot help because although it isolates a definite moment of non-rationality, the moment is merely a logically peculiar one, and not one which consists in a failure within logic itself.

The clear message of the insufficiency of Davidson's mental disunity analysis of irrationality is that if any inconsistency were sufficient for irrationality it would be discovered not by looking for models of the inconsistency within 'the description of reason', but by looking to the objects of the irrational attitudes and comparing these to the description of reason. Such a process would exclude the whole Davidsonian account of the rational capacities as the locus both of 'reason' and of 'unreason'. Once we resist his account, we will see it is not in fact by formal internal inconsistency or by incoherence with respect to 'the description of reason' that the objects of irrational attitudes seem to be characterised, but by a much more fluid and indeterminate form of non-conformity whose resistance to determinate analysis may be seen in our inability to define and describe once and for all irrationality, however confident we feel we are about the nature of rationality.

It may be that pursuit of an object whose pursuit or achievement is incompatible with possession of another object of higher value to the agent will be held to be irrational behaviour; or it may be that to turn from the object of burning desire for considerations of prudence or self-interest will be held to be irrationality. But whichever it is, the determinant will be neither logic nor the random subjective desires of the agent, but standards and patterns of rationality he will long since have made his own and in the confirmation and revision of which his life will play a historical part. My social consensus analysis does not argue that in all rational behaviour there are no universal normative principles of the Davidsonian kind presupposed and constituted. On the contrary, it is pleased with the notion, and merely alters the scope of 'universal principles' from the old notion of human nature or 'every rational being' to the boundaries of communities determined by these and by other - moral - principles. In doing this, it makes all the required difference.

Davidson's analysis is only one of many interpretations of the phenomena of temporary or small-scale irrationality. However, its central features of concern with the 'paradox' of explaining irrationality, emphasis on inconsistency, and the appeal to fundamental rational norms are the bedrock of functionalist interpretations of irrationality. Such accounts threaten my analysis because they appear to look to a concept of rationality which is, in the terms earlier used, absolutist, whether the absolutism consists in

logical, or some other sorts, of norms. I have, however, given reason to question such features as basis of an account of irrationality, and therefore I need not feel the consequent threat of absolutist theory of rationality.

I repeat again that the notion of explaining rationality, in the sense of explaining it away or explaining it totally, which philosophers such as Davidson have, is simply misconceived. What we must engage in if we want to 'explain rationality' is the full-scale critical project of constructing a theory which explains what we are doing when we set ourselves to explain those phenomena which shared standards of explanation have brought before our attention, and when we defend our explanation of this against the explanations of others'. No absolute rational norms enter this framework at this level of defence, for one who denies another's judgement of rationality or irrationality is simply placed in a dialogue with that other in which the truth they seek is itself a feature of dialogue and constructive argument. That is, disagreements, even over fundamental norms, which are involved in constructing theory of rationality do not involve for their resolution the claim that the theorist's explanations are better in the sense of more accurate, better at mirroring reality, than those of his antagonist, but rather the claim that they satisfy conditions such as: their criteria for relevance of information includes all that the adversary's criteria do; their criteria for truth explain the truth of all the adversary holds true, and more; they explain the limitations of the adversary's explanations, and do not suffer from these themselves; they are justified in ways the adversary can accept, and so on.

It follows from this that theory is in an extraordinarily vulnerable position. Particular theories can be nothing more than stages within the activity of theorising, which is a non-completable process between individual enquirers who share it within individual communities which are, partially, determined by the variety and scope of theoretical activities. Particular theories, then, have no self-sufficiency from the historical process of theoretical activity - the object of a theory has no determining power over the theory's objectivity - but can be altered in countless ways, totally revised and eventually overthrown by the theorists in ways which cannot be seen from the standpoint of present theory and which may even depend upon the adherence to the theory. Particular judgements about whether or not a certain piece of behaviour is rational are intensely fragile, open to revision not only by others more intellectually subtle, but by standards not yet known or even existing, and perhaps by standards themselves disclosed by the very making of the judgement.

#### Irrationality and Insanity.

Of those who hold rationality to consist in some independently specifiable principles, practices, or objects of reasoning some prefer to study not small-scale and temporary lapses, but the general and lasting irrationality typically found in some sorts of mental illness. Such writers tend to give an account of the core concept of mental illness in terms of deep or persistent unreasonableness. The implication of such a theory for rationality is that if such an independently specifiable unreasonableness can be demonstrated, this

must involve knowledge of the normative standards which can be used to explain the concept of rationality, or at least the ideal of perfect reasonableness, in independence of the standards of any particular community.

Such accounts (C. Culver and B. Gert, Philosophy in Medicine, New York, 1982; J. Radden, Madness and Reason, London, 1985; M. Moore, Law and Psychiatry: Rethinking the Relationship, Cambridge, 1984; J. Glover, Responsibility, London, 1972; J. Feinberg, Harm to Self, Oxford, 1986; Rights, Justice and the Bounds of Liberty, Princeton, 1980; A. Quinton, 'Madness' in Philosophy and Practice, ed. Philips-Griffiths, Cambridge, 1985) pose potential problems for my thesis because if we judge and treat the insane as we do because they are grossly and helplessly unreasonable, then it seems there are considerations of justice involved which imply that judgements of irrationality and rationality cannot be merely a matter of theoretical commitment, however honestly pursued. If, for example, we agree the insane ought to be excused their actions on the grounds of the presence of exculpating irrationality, this is a matter of justice which implies anyone manifesting similar behaviour, in whatever circumstances, is irrational and ought to be excused. It seems unreasonableness here cannot be a matter simply of consensus because anyone who behaves in the same way must be excused, and if the suggested basis of excusing is irrationality, will be being excused because irrational, whether the normative values of their community imply this or not.

The rationale for such a conceptual link between rationality and responsibility is the belief, held by many as fundamental, that deep and obvious breaks with reality as judged by most intelligent adults in their everyday lives can be recognised by all persons, of any societies, and understood from within any conception of rationality as conceptual chaos indicative of mental abnormality. I must show that contrary to this belief, not even the greatest defects and deviances in reasoning can be interpreted as failures as such, without appeal to the particularities of a certain conception of rationality. If I cannot show this, there is the threat of the introduction of a general or universal concept of reason, or at least of a minimum content to rationality, irrespective of the theoretical standards of individual communities.

#### Jennifer Radden.

We should first ask whether insanity is always irrationality. J. Radden has recently argued this. She argues on the basis of Foucault's Madness and Civilisation (London; 1985) for a return to an understanding of madness as 'unreason', a manifestation of eccentricity of conduct demonstrating want of reason which may be occasional, or enduring and unavoidable. This conception of unreason, she believes, can co-exist with causal - functional or psychological - explanations of irrationality, but it does not depend upon these. It is sufficient, then, to identify and to categorise the madmen. We can understand the specific condition that is insanity as lack of the capacity to avoid certain forms of unreason. The point of Radden's theory is to justify our practice of excusing the insane. We excuse them because moral responsibility depends upon the powers of agency. An agent is one who acts freely; this involves both deliberation and choice, and it is precisely the capacity for



these which is missing in the insane. They are unable to demonstrate these forms of reason. She goes on to analyse a number of apparently non-cognitive defects in various forms of insanity to demonstrate that, contrary to appearances, it is with all, and not only with some, of those we feel justified in excusing that the justification for the excuse arises from defect of reasoning and not other, emotional or affective, defects.

What I want to expose in discussing Radden is the weakness of the link that is often made between agency, reasoning and moral responsibility. It may be the case that a judgement of insanity always is a judgement of irrationality of a certain sort. However, Radden's case for this rests upon the practice of excusing due to the absence of moral responsibility in those incapable of avoiding certain deficiencies of reason. In return, I suggest that no irrationality of itself entails absence of moral responsibility. This is because the link between particular conceptions of rationality and particular moralities is not conceptual (except at one point, to be discussed in the final chapter: there is a conceptual link between (any) true morality and (any) rationality). The judgement that someone is even massively irrational is not sufficient in itself to entail any weakening of moral responsibility. But surely, it will be asked, if the irrationality in question involves large-scale incapacity to deliberate and choose, it does?

First, the concept of agency implies not freedom but voluntariness of choice. An agent is one whose intentional actions are voluntary: they may not be truly his, he may not be sole or major cause of them (he may not be 'free'), but he wills them: he desires them in an active and effective way. Unfree intentional action does not imply lack of, or failure of, agency, there is therefore no connection to be made between the concepts of agency and responsibility by means of the vehicle of freedom. Voluntariness of action, which is sufficient for agency, implies the capacity not to act in this particular way, though it does not entail the freedom actually to, now, act differently. A failure of agency, then, would be located in the capacity for voluntary action - a failure of will, a lack of will, weakness of will, intractable willing, behaving contrary to one's will and so on - and the link between failures of will and diminution of moral responsibility does not possess the apparent plausibility of the link between freedom and diminution of moral responsibility. It may of course be that failure of agency is irrationality, but this, I hold, is a contingent matter of the nature of the failure and its relation to a set of rational requirements.

When the criterion of agency, the capacity for voluntary action, is met, it does not follow that the agent is morally responsible. What follows is that the agent qualifies for membership of the (a) moral community: he or she is qualified to judge her actions and those of others by the standards this community manifests in its members' involvement with particular concrete situations, and to be judged by these standards. This qualification arises from the simple fact that she can act, and so is able to enter into the concrete particular situations of everyday life and to interact with her neighbours. As a further stage, it may well be that the moral beliefs of this particular community imply that in so far as one is an agent, and no further, one is morally responsible (as, very likely, a true morality

requires). But the conceptual connection to be made here is not between agency and moral responsibility, but between agency (capacity for voluntary intentional action) and membership of a moral community. Corresponding to this, one who is not an agent, whether his actions are free or not, is not a member of any moral community (he cannot have the will to communicate with others within concrete particular situations), and cannot judge or, probably, be judged morally. Incapacity for agency, however this is caused or sustained, entails disqualification from moral community because one who is not an agent cannot take part in the shared practices and shared forms of moral understanding in which morality consists. A true morality, one which respects individuality and not some 'elitist' or selective quality such as agency, will presumably excuse those who cannot take their place in the moral community, and protect and help such individuals to the degree to which they may enjoy, or inspire any form of intelligible communication.

So we have a/a basic concept of agency, defined as capacity for voluntary intentional actions; b/particular conceptions of rationality (which will include different accounts of the role and place of agency); c/a conceptual link between agency and membership of a moral community; d/the particular moral beliefs of that community (which will stand in various relations to the conception of rationality of that community but which will always imply the necessity of agency for membership of a moral community). The result is that if insanity consists in irrationality, this cannot be shown by appeal to defects in forms of reasoning and judgement required for moral responsibility: it cannot be shown from the link between moral responsibility and (rational) agency for this link is not conceptual. There is, therefore, no universal concept of reason which can be appealed to on the back of a universal concept of justice in the context of the description of the condition of the insane. The propositions 'we excuse the insane', 'the insane are irrational', and 'we always excuse the insane because they are irrational' cannot form a case for demonstrating that insanity is irrationality because the first proposition holds only for certain moralities; and the third assumes a conceptual connection between morality and rationality which is not the case. Only the second proposition appears well-grounded, not because every conception of rationality entails the insanity of those who depart massively from its standards, but because there seems no possibility or point in a concept of insanity, within any conception of rationality, which is not connected to departures from standards of rationality. This does not, however, imply either that all societies possess a concept of insanity, or that the judgements of insanity of any one social community will be mirrored by those of others. All that is implied is that every true judgement of insanity will be a judgement of irrationality.

Yet surely there are at least some profound breakdowns between persons and reality which can be objectively judged as irrationality? The degree of irrationality we feel impelled to attribute to cases of massive paranoid schizophrenia or the most fearful compulsions seems to be inadequately described as judgements of mere social consensus. Generally, what suggests to us the objective irrationality of such behaviour is not, contra Radden, any structural failure implying a failure of agency, such as inability to act

otherwise, which is relevant to us only when asking questions of moral and legal responsibility and status, but rather the content, or the objects of the behaviour. It may be, as the concept of mental illness implies, structural defects of agency, especially defects of voluntariness, when they are deep-seated or permanent, do always constitute insanity, however they happen to have been caused. But even if this is so, the belief that there is objective irrationality in insanity arises not from judgements of irrationality we make because of failures of voluntariness, but from the fantastic or florid character of the behaviour of those with defective powers of agency. This content is often specified by observers as pursuit of what is fundamentally undesirable or unintelligible. The specification of the behaviour, or the objects of the behaviour, will usually, then, imply an account of what is intrinsically desirable, which becomes understood as an account of the content of rational behaviour. Once again, Gert in Moral Rules is a very clear example of this.

His suggestion is that to desire death, disability, pain, loss of pleasure or freedom, or what is likely to substantially increase the risk of these, and to do so for no further justifying reason, is to desire the intrinsically undesirable, to desire irrationally. He says this is so just because it is so (p. 37), but also suggests it is so because deliberate harm done to self-interest for no further reason is irrationality. It certainly does seem that one who is held to be accurately judged as mad will be describable as harming himself in respect of one or other of these five goods. That is, any description of insane behaviour can be, ultimately, replaced by a description of behaviour which damages self-interest in terms of causing or threatening one's death, disability, pain, loss of freedom or diminution of pleasure, and doing this senselessly. Does this mean that such self-harming action is irrational action, and that, as Gert thinks, rational action is centrally action which is not self-harming in these ways?

We can discuss this question outside the context of madness, because deliberate pursuit of self-harm for no further reason is to be found from time to time in all persons. Madness implies not only unintelligible behaviour, but also a condition spelled out as incapacity to alter this behaviour, or permanent disposition to this behaviour, or an incapacity to appreciate this behaviour as what it is - that is, as some sort of failure of agency, or will. But the central threat posed to my account concerns not the nature of insanity, but the core of irrationality in the behaviour of the insane and profoundly disturbed, and this can be isolated from problems concerning the cognitive and volitional defects of such subjects. The core of irrationality in Gert's terms is located in the desire to pursue intrinsically undesirable goods and the pursuit of these. The question, therefore, is whether there are intrinsically undesirable or desirable goods which are the determinants of rational behaviour prior to the formation of particular social conceptions of rationality.

The key here, as we noticed above (ch. 4), is that it is possible to describe any piece of irrational behaviour as contrary the sort of goods Gert mentions. It is possible because under one particular conception of human life - as I have put it, one conception of rationality - these goods are the very conditions of being human, the

conditions of rationality. Any behaviour of any agent, whatever its context, can be described ultimately in terms of these goods because these goods are the ultimate goods, the grounds of all explanation, of one conception of life, and any behaviour can be described in these terms by one who has knowledge of the relevant vocabularies. Even if a complete translation of behaviour into the descriptions of an alien vocabulary is not possible, description in terms of ultimate goods will be possible because the behaviour described here will be extreme and identifiable with easily observable and well-known patterns of physical harm and decline.

The reason it seems so convincing that acting against such goods without further reason is irrational of itself is not that these goods have some privileged status making them central to any conception of rationality, but that they constitute the ultimate goods of one conception, and one which, historically, is the overarching conception of our Christian and humanist, democracy-hungry and capitalist, societies, what is called our 'civilisation'. As a set of ultimate goods, the only reason there could be for acting against one or more of these would be to enable oneself to pursue one other of the five fundamental goods. Acting against them 'without further reason' would be acting so as to damage one of the values which set the limit of intelligibility of our actions without compensating for this by clarifying our action as designed to preserve or share in another of these values. It would, then, be literally unintelligible action, and we will see it as 'intrinsically irrational' or 'irrational in itself' so long as we look no further than this conception of rationality, so long as we are not philosophers. We must insist that acting against any set of basic values is irrational not because of some independent desirability of the values or their objects, but because it threatens the grounds of explanation of behaviour of a conception of rationality which puts self-interest and avoidance of self-harm to the fore.

But those who hold such theories will still insist that acting in pursuit of death, pain and so on is not merely a way in which, with suitable imaginative and translation skills, any irrational behaviour can be described due to the fact that any (rational) behaviour can be described in these terms, but that when we (anyone) so act we are thereby irrational, and when we are correctly judged as irrational we are acting in pursuit of these evils. They will trade on the thesis that even if we do not value self-interest and are not aware of either serving or transgressing it, it is what we reveal in our actions to be of foremost importance and what we strive to pursue. And they may be right when they speak of our western communities. However, although they may also read the actions of members of communities outside our broad and economic tradition as revealing this, this gift of translation gives no more, but exactly the same, reason for saying a Greek warrior of thirty centuries ago is pursuing self-interest than he and we have reason for saying we pursue personal honour.

In the culture of Homer's Iliad time, honour, represented what we might call rational value in a way in which pleasure, freedom, security from death, pain and disablement did not (see H. Lloyd-Jones, The Justice of Zeus, London; 1983, ch. 1, and 'Conclusion' espec. p. 160). None of these would fundamentally have



mattered to Achilles if undergoing them had meant winning time. Winning time was not important because it was in one's self-interest (in fact, Homer seems to have no conception of the self which would be acceptable to most of the philosophers who construct such theories. See K. Wilkes, Real Persons, Oxford; 1988, chs. 4, 7): it is important because it is itself an ultimate standard of intelligibility, a fundamental explanatory norm to those whose communities form part of this society. So far as he is acting to increase or restore his honour, the hero is acting rationally: however substantial the risk of death and so on he incurs, Achilles' actions after the taking of Briseis are rational, and paradigmatically rational, without reference to self-interest in our sense, the sense Gert among others tries to articulate. I could make this point through many other comparisons: Buddhist asceticism, life under monastic vows, early Greek stoicism involve no notion of self-interest. Actions within these life forms could be rationalised in terms of avoiding the likelihood of death and so on, but so, and equally well or badly, might a Homeric hero rationalise our self-interest as standing guard over time, or a Buddhist monk rationalise it as senseless concentration on the fiction of the self, or an Epicurean as pursuit of personal sensations. Ability to explain any action in such terms as Gert's, then, does not indicate a privileged norm of rationality, but the ultimacy of a particular way of explaining within a particular community, within a particular form of life. Without context, nothing is fundamental; and when a norm is fundamental, it is so only within context, or to one concerned with explanation within context.

Insanity was considered here only because it seemed to indicate a break with reality which implied some standards of universal irrationality which would imply a rationality whose norms might be specified independently of the histories of particular human communities. It was agreed that insanity might consist in failures of agency. These failures, at the extreme, imply disqualification from membership of moral communities - a fact which may well have implications for the question of moral responsibility. However, there is no universal notion of justice here - or anywhere else: that there is is a perception of morality, perhaps of a true morality, but certainly not the only true one, and the features which must qualify a true morality do not specify that respect for individuality and the possibility of human communication is possible only through principles of fair distribution and desert. After all, 'fair' and 'desert' are themselves terms the meaning of which is indeterminate until we consider context: Imperial Rome, industrial Britain, South Africa, post-war Germany. It is not, however, in failures of agency that that species of irrationality consists which tempts us to think that insanity demonstrates a universal and objective irrationality and so a standard basic norm of rationality, but in the content or object of the behaviour of the severely insane. Such irrationality can be examined in isolation from questions of madness and the internal defects of agency as it is found also, temporarily or slightly, in the sane. No content or object of behaviour can, however, be held to be irrational of itself, but only within the confines of particular conceptions of rationality. There is, therefore, no threat of absolutist rationality to my account of rationality as forms of

theoretical activity from the philosophical theories of insanity and irrationality.

## Chapter 7. Conclusion.

I have claimed through my interpretative and conceptual analyses to this point a/ that rationality is the creation of standards of explanation, the exercise of these in thought and action, the continual development, and ultimate revision of these, and that these forms of behaviour are a single process of activity described as 'theoretical activity'; b/ that this occurs within and through communities of which it is partially constitutive; c/ that those who claim to hold a conception of rationality the validity of which rests on grounds independent of the contingencies of forms of explanation of particular communities are making claims which cannot be true. I have claimed this understanding of rationality is present within the theory of Aristotle, and in the thinking of Thomas Aquinas.

Aristotle articulates this understanding by means of his use of, and discussion of, dialectic, his conception of ethics, and his theory of moral education. It is within the context of this understanding that we must interpret his theory of rationality, the theory of the virtues. Aquinas's theory of practical rationality, the theory of Natural Law, has also to be interpreted in the context of a similar understanding. I have interpreted it as an explanation of how community-based - for him, ecclesiastical-academic - enquiry into conceptions of rationality, which Aristotle saw as dialectical - pre-theoretical - can be theoretical activity; as a demonstration in the writing of the great Summa that rationality is primarily theoretical, even, perhaps especially, when it is enquiry into, and explanation based upon, the concept of practical reason; and claimed that this provides us with a new basis upon which we can understand rationality, not in terms of rational faculties or capacities, but as the very activity of ourselves that is theoretical, the defining human attribute: that which proceeds from standards we have developed together, and which is itself turned upon those standards in a process of alteration and revision which is endless. We can read the truth of this account of rationality in historical accounts not just of societies, but of what I have called communities: interactive human groups which are communicative not just incidentally, but constitutively, in their purpose and formal constitution.

The tragedy of the school of thought which aligned itself with Aquinas is that, in contradiction of this understanding of rationality, it enforced a Natural Law absolutism of the fiercest sort. The Thomist synthesis was not continued through the potential fertility of the collision of the Church Fathers with the new thirteenth and fourteenth century monastic and secular scholarship and the scholarship of the post-medieval world in a way which might have supported the primacy of rationality and the discrediting of absolutism. Since we have never, even yet, managed to define 'human being' as anything but rational and social - the foundational claims of Natural Law theory - and since the Natural Law tradition has upheld absolutism, its effect has been the belittling of the individual human being, human rationality and individuality, and the growth of conceptions of absolute authority. The final betrayal of Natural Law comes when reason as it is found in man is itself identified as the 'absolute norm', the 'law of nature'. At this point

the human being through and because of his rationality becomes the summit of achievement, the Final Good; there are no further normative challenges for rational man, and reason is finally inert. This is the danger of mainstream contemporary Aristotelian thought and natural law ethics. These take the great legacy to be the concept of the practical which these traditions provide, but all too soon this concept leads to the introduction of absolute standards of action to which 'rational conduct' must adhere, and to the diminution of the theoretical aspect of reason in Aristotelian and Thomistic thought. This leads easily to the conception of reason as only requiring to be 'exercised' 'in practice', and not employed in dynamic penetration of all, including its own, standards.

I take the legacy of Aristotle-Aquinas for theory of rationality to be the drawing attention to the fact that in explaining rationality (what it is, and what things are rational) we reflect, in a way which may be revisionary and recreative, upon shared theoretical standards, our various conventional forms of explanation, and acknowledge the contingency of these; and that in assessing the rationality of any particular behaviour or form of explanation, from the most abstract to the most banal practicality, we have nothing but these shared and contingent standards upon which to reflect. This is the conception I have been defending and trying to relate to a satisfactory theory of morality without encouraging the spectres either of moral relativism or of moral absolutism. I have defended this idea against, and supported it by, criticism of, jurisprudential natural law, the Kantian view of practical reason as pure and universal rather than as activity, the utilitarian conceptions of reason and the alternatives of certain anti-utilitarians, and the threat posed by contemporary philosophy of mind on two particular fronts. I have also suggested my own account of morality, and the structure of ethics, depending again upon the supporting notions of community and communication.

I now want to turn to what sort of positive characterisation we can give of rationality. There are no philosophical statements to be made about the details of particular conceptions of rationality. However, it is true that in our actual judgement making and our formation of beliefs we cannot help but believe there are norms of rationality which are beyond question. Fundamentally this is a misperception, but it is a necessary misperception given the structure of thought and action and human nature. If thought and action are related because of the common element of theoretical activity which is the process of exercising, developing and revising our conception of rationality, they will be conditioned by the requirements of activity; one of these, I will argue, is the presence of an object, and for human beings, if this object is to be intelligible, some norm of rationality must be presupposed. Thus although no philosophical statements about particular conceptions of rationality can be made, we can make statements about human beings and about rational norms which help explain why some norms must be considered as inalienable by rational human beings, though not as inalienable rational norms. This project will help add some minimum content to the requirements of a theory of rationality, and it will also give an indication of the structure of particular rationality judgements.



The concepts of which I have made most use have been derived from consideration of the work of others. They are communication, community, activity, and the theoretical. Of these, enough, I think, has been said of communication. We need here to investigate the other three concepts, and to derive from them a more precise understanding of what it is we are doing when we evaluate something rationally, or evaluate it as rational.

#### Activity.

The main feature of the analysis of activity I understand as its 'directedness', or 'intentionality' as this has been classically understood. Intentionality of thought, as classically formulated by Aquinas, is summarised by E. Anscombe and P. Geach (Three Philosophers, Oxford; 1962, p. 95): 'what makes a sensation or thought of an x to be of an x is that it is an individual occurrence of that very form or nature which occurs in an x - xness here occurs in the special way called *esse intentionale* and not in the ordinary way called *esse naturale*. This solution shows how being of an x is not a relation in which the thought or sensation of an x stands, but is simply what the thought or sensation of an x is'. This piece of classical theorising was developed by Brentano into a theory of mental content in Psychology from an Empirical Standpoint (ed. L. McAlister, London; 1973): mental phenomena are characterised by the 'intentional inexistence of an object' (p. 88/9). He expresses this as 'reference towards a content', 'direction towards an object'; 'every mental phenomena includes something as an object within itself' (p. 89). Brentano applies this theory solely to mental phenomena. However, Roderick Chisholm (Perceiving, ch. 11) develops an account of intentionality in which physical phenomena take objects, and differ from mental phenomena in that their objects must exist. This does not accord with Brentano (see Linda McAlister in Philosophy of Brentano ed. McAlister), but it is the suggestion that intentionality or directedness characterises mental and physical phenomena that I want to pursue.

At p. 109 of Perceiving: A Philosophical Study (New York; 1968) Roderick Chisholm writes, 'physical - or non-psychological - phenomena, according to Brentano's thesis, cannot thus intentionally contain objects within themselves. In order for Diogenes to sit in his tub, for example, there must be a tub for him to sit in'. For Chisholm the hallmark of intentional inexistence is that those phenomena in which it is found contain an object intentionally, that is, in themselves. This is why mental phenomena, such as thoughts, can have objects which do not exist. A thought may be of something which does not exist, in which case it intentionally contains within itself an object which does not exist. The objects which physical phenomena refer to, however, must exist. 'The objects of our physical activities are restricted to what does exist' (ed. Chisholm, Realism and the Background of Phenomenology, Illinois; 1960, p. 4). This is once again far from Brentano whose own examples of physical phenomena are sensible qualities. However, we can expand it into a distinct understanding of activity.

Activity has directedness, takes an object, even if its object does not exist. This is the basis of my concept of activity. Physical activities are those activities in which the body is explicitly involved: the character and state of the body influences the

character of the activity. Physical activity contains an object in the sense that it is behaviour not merely referring to a part of the world, but behaviour projected onto the world, directed towards imposing upon or changing the world. Physical activity is practical in one particular sense of the term: it initiates changes in the way things are in the world. ('In theory, the world calls the turn, the mind must conform to the facts; in practice, the mind calls the turn...'. G. Grisez, 'First Principle of Practical Reason', in ed. Kenny, Aquinas). That which is practical is not only within the world and referring to it, but directed towards bringing about some sort of change in the way things are in the world, towards having an effect. It must, therefore, have an object. In this it differs from behaviour which is physical but is not activity: such physical behaviour is not directed towards having an effect; it need not, therefore, take or contain an object, though it will be influenced by the condition of the body, and perhaps other objects.

Mental activity also has directedness towards an object (unlike other sorts of mental phenomena), yet this object need not exist. There are two cases in which the object does not exist: in the first our mental activity is directed towards an object which does not exist and which we believe does not exist, though we may succeed in 'blocking' this belief or its import (as in self-deceit, wishful thinking and day-dreaming); in the second case we believe there is an object but one which our minds have not yet fully grasped. This second case is the case of theoretical activity. This is mental activity directed towards an object which we believe exists though we do not yet know it - and though it may always turn out that this object does not exist. Mental activity directed towards an unknown object in whose existence we believe but which may turn out not to exist at all is, then, theoretical activity. Even when we enquire into the possibility of the existence and character of some object in which we are hugely disinclined to believe, there must be a minimum belief in its possibility to ground the mental activity upon an object.

Theoretical activity, then, requires beliefs about possible, though as yet unknown, objects. The absence of knowledge may refer to knowledge of the object's existence or of its character - whichever of these forms the particular object of this stretch of mental activity. To believe in what we do not yet know and to seek to know it takes time, energy and trust. It is not a commitment made lightly, or haphazardly. This is usually expressed by saying we make such a commitment only for beliefs we hold to be well-grounded. Well-grounded beliefs exclude that inherited stock of knowledge of our community which we are taught and perceive after the static manner of 'certain facts'. They include those unsolved questions, problems and enquiries into whose pursuit we are born, and whose objects are sufficiently believed in to suggest there are answers, solutions and goals to be achieved. To the extent to which we share the beliefs of those around us, we join with them in enquiries whose results are not yet known. As individuals, we also have ourselves the capacity to hold well-grounded beliefs which fall short of knowledge and which therefore provide us with objects of theoretical activity. And if our beliefs are important enough, or in relevant ways concern, objects of public or general interest, others too may come to share them, in

which case we will have initiated new avenues of theoretical enquiry.

We do not, however, hold well-grounded beliefs in a vacuum, or approach the world as an antecedently existing frame containing a set number of things to be discovered. Our standards of what is well-grounded are determined by those among whom we are reared and live, and the starting points of our debates are not served up to us as gateways to fresh and individualistic paths but are points within continuing processes at which we happen to be born. When we join the on-going debate we accept its current well-grounded beliefs, its standards of evidence, and the stated goals of its present theoretical enquiries into its beliefs. The greatest possible originality in theoretical activity, then, would consist in so revising the beliefs and standards of evidence of one's social communities that all contemporary problems would have to be re-cast in terms which acknowledge one's achievement (unarguably, Socrates, Augustine, Aquinas, Kant, Freud). This would not abandon present beliefs, which would be useless, thus a full account of rationality would require a philosophical account of translation and commensurability of terms.

Because it is an implication of theoretical activity that the activity takes an object, and because the object refers to shared standards of explanation and evidence, rationality always involves the misperception that there are some beliefs or norms whose validity is independent of the contingent enquiries of particular communities: those into which we are born and trained are perceived as objective, and given that the structure of theoretical activity requires that an object of belief must always exist, something is always perceived as objective. In this sense, again, rationality is the fundamental human attribute: it is built into earliest childhood experience and continues with exactly the same structure. Current shared beliefs give us the presuppositions which are one of the clues to the individuation of particular communities. The objects of certain of those beliefs, the objects specifiable as the institutions, practices and forms of understanding of morality, provide us with the other determinant of the individuation of communities. Our capacity for theoretical activity (together with our capacity to live together in all the details, arrangements and institutions of everyday life - our capacity for morality) is our qualification for coming out of that isolation philosophers have often imagined (but only imagined) into membership of a community. Theoretical activity, as we will see, is not to be opposed to practical/moral life, but forms this as much as it does the life of the intellect. It can also provide us with materials for an understanding of what community is.

#### Community.

Communities are partly constituted by the shared presuppositions and aims of theoretical enquiries. They are also constituted by practices, institutions and patterns in which people try to realise these and other aims, and to lead their lives peaceably, without being troubled by questions of aims and enquiries, but merely going about everyday preparations and habits, and by the forms of understanding of these practices, institutions and practices which those who participate in them develop to explain, guide and evaluate their conduct. By practices I understand simply what people do in the

unpuzzling sense in which even in the most complicated social and personal situations there is an answer available in the experience and consciousness of the community as to what is to be done. Patterns and rules I understand as beliefs generally held (held by a clear majority) to the effect that in this type of situation we ought to do x. Institutions are even more general than beliefs shared by most: they are patterns which have taken on an independent existence from the beliefs of those who hold x ought to be done, and now instantiate or promulgate x in objective, independently existing forms in the community. Institutions range from such things as legal systems to queueing to marriage.

These 'non-theoretical' elements of a community are its morality. I do not mean this in the sense that morality explains these; rather these are (this particular) morality. They are non-theoretical only in that they have a definite end-point, a standard of truth; they do however contain both emotional forms of understanding and more cognitive forms which explain the norms of conduct. The elements of morality judge, guide and form the conduct of individuals. They serve to partly individuate a community. Particular moralities and particular theoretical enquiries (conceptions of rationality) are together sufficient for individuation.

The role of morality in individuation ensures that it is never strict and lawlike. Morality, at least, and often rational structures as well, is not clearly defined: an interacting set of practices, institutions and forms of understanding is not, and need not be, quite independent of the practices and understandings of other surrounding moralities of which it is otherwise independent or of which it expresses disapproval or disavowal. Because of this

indeterminateness, the individuation of communities rarely provides a 'sharp' result. It is most often the case that individuation depends upon the 'core' rational and moral concepts of a social grouping, the practices and explanatory forms well established and well defended against opponents. That the 'edges' of a social group's morality and rationality cannot be accurately differentiated does not imply that the group cannot be individuated as a community. What it implies is that such questions as how many and which communities individuals belong to cannot be always, even often, answered with accuracy because the membership to which they refer is, except for core qualification, ambiguous. The unity of rationality and morality which is community resembles the unity of language and practice which is a Wittgensteinian language-game, and as in the case of the language-game (P. L., 71; 23; 67), the blurred edges of the concept of community and the phenomenon to which it refers allow it the flexibility to encompass both small-scale social units, such as clubs and lifestyles, and the wide-scale whole of social life itself.

Since in most social communities individuated by rationality and morality the explanations, justifications and prescriptions which constitute moral understanding will be the product not only of our moral practices, but of our conception of rationality (which will have helped form these practices), morality and rationality will be found to overlap greatly. Indeed, the development of moral practices will normally be a feature not only of previous social practices and necessities, but also of rational criticism of these; and rationality, theoretical activity, will be influenced by moral practices not only as, but specifically as, theoretical enquiry



concerning morality, moral theory. However, I hold the conceptual link between morality and rationality is much more restricted than has been normally held. We will see later there is only one respect in which such a link is truly conceptual. In general, there is no requirement that morality and rationality develop in tandem, and no certain predictions to be made about this, except that where there are no clear relations between the two, some trauma must have occurred or be occurring within or to the community. We can say this because a community whose everyday life need not be judged by its own members as rational, though not inconceivable, is one no individuals sharing both the moral and the rational life of the community would (could?) choose, and most members of a community share to some extent in both of these.

This understanding of community places no conditions on the magnitude or origin of communities. They are social units whose indeterminacy makes them the accurate embodiments of rationality and morality rather than the universal political and cultural grouping referred to by the concept 'society'. They may be formally constituted bodies or society-wide forms of agreement in explanation and day to day life. There are no definite answers to the questions 'at what point does membership of this community cease and activity within the norms of another community begin?' and 'how many communities does my sociability enrol me within?'. The individuation of communities is itself a rational task which will be conditioned by explanatory norms of theoretical activity, and which will admit, therefore, of no 'absolute' truth. Most of us will be enmeshed within numerous complicated patterns of community within some of which we will be deeply active, while others will now be little more than meaningless or instinctual conventionality to us. Community, however, is not inevitable, since rationality and morality are not. It is parasitic upon social life which is the condition of human life, but human associations do not entail forms of human communication. Social life entails nothing more than the possibility of community; allies who agree to tolerate each other can maintain total isolation once the agreement is made.

Importance of Activity. Why is Theoretical Activity Rationality?  
Theoretical activity, joining intellectual enquiry, is not completable. It consists in activity directed towards knowledge of certain goods which have their drawing power for us because of presuppositions concerning them which we share with others. This intellectual draw and the intellectual activity directed towards knowledge does not restrict the reasons we seek to know these goods, and the purposes to which we shall put them, to intellectual ones, but it does mean that our primary purpose in theoretical activity, the thing we must first achieve, is knowledge both of the existence of objects and of their nature. As we achieve these intellectual goals, in whatever field, we do not then have fewer and fewer shared beliefs on which to pursue theoretical activity, but different shared beliefs. Answering questions does not reduce the supply of questions, and should not: it alters the perspective of questioning by supplying new presuppositions to the questioner, and so throwing up new questions. Over lengthy periods, and through intellectual revolutions these perspectives change radically. The questions we face may bear no relation except for the intellectual

historian to those others formerly faced. It is fiction to suggest that methodological requirements of intellectual enquiry will remain constant through such changes. They will change also, and their change will be one of the most significant events within particular stretches of theoretical history.

It is for this reason I have claimed any account of rationality which does not allow for this paradigm of rational progress is defective, whether based, in Kant's way, on a supposed faculty of moral personality or universal reason, or on a supposed universal psychology such as the utilitarian's claim, or, equally bad, on supposed universal requirements of law or justice. An account of rationality must explain what I adduced from Aquinas: that proof is theoretical activity, and that this is incompletable. The boundaries of rationality cannot be once and for all drawn because there may always yet appear from without us, and then from within us, those who reject not only anything we claim as rational, but also our boundaries.

I have, however, not only claimed that theoretical activity must be accommodated within an understanding of rationality. I have claimed theoretical activity is rationality, and that a concept of rationality is merely the result of one particular piece of theoretical activity, rationality, here directed in upon itself. I have claimed to construct this understanding from explaining how Aristotle shows us, explicitly in N.E., a community of enquiry, and how Aquinas shows us how this community can be understood not politically but as a community under first principles and definite authority, and how the dialectical enquiry of the community can be understood not as non-theoretical but as scientific, theoretical forms of intellectual activity. First principles for Aquinas, which become presuppositions and goals of theoretical activity on my account (the presupposition is a belief that x exist; the goal is knowledge of x/that x exists. cf. Aristotle's and Aquinas's account of first principles as archè and telos, both starting point and end-point), can be derived scientifically as a result of theory encountering theory within a theoretical community of teachers and learners, rather than at Aristotle's pre-theoretical level of dialectical interreaction within the polis. The conditions, pattern and extent of Aquinas's researches indicate his result that proof, arriving at true conclusions, is not absolute but is activity which is incompletable. It is also his belief that rationality is paradigmatically theoretical: practical reason is directed towards pursuit of good and avoidance of evil, not to truth, but it does not follow it is not theoretical. Aquinas's own theory of rationality does follow Aristotle in distinguishing theoretical and practical reason as the dual operations of a single faculty. However, his achievement for us is not his own synthesis of Aristotle with sacra doctrina, but his demonstration that theory, if pursued after the manner of dialectical construction among the various available and opposing alternatives within the shared presuppositions of a community, can produce an account both of what it is rational to think and what it is rational to judge and to do.

What the tradition of Natural Law at its best teaches us is that theory can solve the problems of what actions are rational - not (merely) by helping us to discover this, but by allowing us to create the conception of rationality according to which actions for us are

rational or irrational as an intellectual achievement following upon the theoretical presuppositions and beliefs we hold and encounter. I have not yet said much about practical reason. We can say here that it is not a different kind of activity from that I have described as theoretical, but that it does differ in one special way from other theoretical activity. The goal of practical theoretical activity is not knowledge, but belief: belief that x is to be done, or belief concerning how x is to be done. I therefore deny the Aristotelian contention that there is any reasoning which actually concludes in action rather than in beliefs or intentions about what is to be done. I do, however, ally myself with Aristotle against Aquinas and against Kant that the end and meaning of human life rests with intellectual and not with moral/practical activity (see C.P.R. A840/B868; C.Pr.R. 87ff.; C.J. 453-6).

My claims, particularly concerning Aquinas, that when we engage in theoretical activity we not only apply rationality, but also determine it are interpretations. As such they rest not only upon philosophical argument, but upon historical, biographical, and literary judgements and upon reflection over these. This admission does not disturb me. If the thesis is correct, if those beliefs which are our presuppositions and that knowledge of objects which we desire structure what for us are the norms of rationality, and if what these beliefs and objects are depends upon the state of enquiry of a particular community, then only interpretation can definitively demonstrate this. That is, if no standard of explanation or justification has any authority independent of the contingent standards of contingently structured communities, any attempt to explain this will itself be limited by the explanatory norms of writer and audience. It seems reasonable to me, therefore, to throw the matter open to non-argumentative interpretation as well as to philosophical argument.

The argumentative force of the account is supposed to come from these interpretations, the negative force of the, much more analytical, critical interpretations of others, and from the coherence of the account of rationality and morality. Furthermore, if one agrees with me that theoretical activity is pursued in this non-completable dynamic form through communities which are partially constituted by the details of this enquiry, and that standards of rational explanation and evaluation are theoretical in this sense, this will lead to further agreement which serves to confirm my account. For it follows that standards of rationality will change (a) along with and also (b) as part of other theoretical developments. Despite the fact they will normally change, at least for the whole community, only gradually and in a piecemeal way, norms of rationality will change: as the existing norms allow us to make fresh discoveries in all fields, this new knowledge will supplant earlier beliefs and enquiries, and with this, always, although gradually, the conception of rationality will undergo change in an indirect way (a), and sometimes (in the work of certain theorists) in an explicit way (b).

This change will be such that the members of the community will be able, at least while it is occurring, to explain it as merely an extension of clarification of the old standards; but suitably able theorists will be able to explain the old standards, bit by bit, in terms of the new evolving standards. This does not show either that the old standards were inadequate or in need of improvement, or that

the old standards were the only standards and have now been definitively developed, but only that all standards are simply the standards of the here and now, and will and must be succeeded by others as circumstances change, a change which is partly a result of the success of the old and now passing standards.

So, theoretical activity provides standards of rational explanation and takes these away not as rational watchdog, but simply qua rationality. There is no need to posit some mysterious second process, 'reason', criticising our conceptions of rationality: theoretical activity and 'our' rationality are identical. 'Our' rationality determines the flow of theoretical activity, and theoretical activity determines our standards of rationality. None of this precludes us from constructing a theory of rationality, but it does mean that theory of rationality is theory of a (particular community's) rationality, and it is that standard by which it must be judged.

The particular case of theory of rationality, and not merely 'rational theory', or 'theory determining rationality', also emphasises that rationality is determined by and exercised in theory: the rationality of a profoundly pragmatic and non-meditative people is still applied in what I have called theoretical activity, and its norms are reached through theoretical activity. Our task in what follows is not to suggest a particular (late twentieth century, west European) conception of rationality, but to enquire into whether there are any general conditions we can lay down for rationality; to make clearer the relation between rationality and morality; and to discuss any general features of practical reasoning - reasoning towards beliefs concerning what ought to be done, and how.

Theoretical activity is an extremely basic human attribute. It is not, however, an inevitable consequence of being human. There are those who cannot, for whatever reason, pursue the sort of mental activity, in extreme cases at all. There are certain conditions which any human being must satisfy before he or she can take part in theoretical activity; there are requirements if a human being is to engage in mental activity devoted to achieving knowledge of those things belief in which distinguishes him as a member of his community. Some of these are quite specific biological goods and practical necessities. In all cases their provision is a matter of concern to the whole community because if theoretical activity fails to flourish in the distinctive form of this community, part of its identity is threatened. However, these requirements are settled not at the level of provision of certain goods to the community, but at the level of individual needs. Needs which must be satisfied in order for us to be able to take part in rationality-exercising and rationality-creating activity are extremely basic needs, for without these that part of human existence which concerns enquiry of any sort ceases, and an individual who suffers this must suffer isolation. Inability to take part, with others, in the creation and exercise of norms of rationality by which all our behaviour will be judged is as serious a handicap as inability to take part in communication with others as individuals, and morality, the everyday life of a community in which this love, and all lesser personal relationships are experienced.



### The Concept of Needs.

The most obvious way to approach the concept of needs is by comparison with desires. At first it may seem the difference between these is quite obvious: our needs are what we require; our desires are what we yearn to acquire. However, the analysis is considerably more difficult. Desires are only with the greatest difficulty further analysable, and this itself indicates a difference between them and needs. The modality of needing is necessity; the concept of needing therefore invites us to look at the nature of the needy being and the object of the need in order to discover the relation between them. Desiring does not possess a similar modality: the requirement a desire places upon us to act in the way appropriate to its satisfaction depends not on the nature of the desirer, but on his continuing to have the desire - a wholly contingent matter. Even where the desire is continuous or profound, the requirement that it be satisfied appears still not to be necessary. Deciding whether a persistent desire ought to be satisfied requires reference to features other than the agent and the object of his desire, in particular reference to his other desires and their objects, and in these comparisons there is no necessity. Needs invite us to examine the structure of the individual and the needed object; desires invite us to examine the desired object, the importance of the object to the agent within the context of his other desires, and the strength of the desire itself. The examination of needs reveals the meaning of needing; the examination of desires, however, typically reveals not the meaning of desiring, but contingent facts about the psychology and life-plan of the particular agent.

Needs are needs for something. Our set of needs makes reference to purposes, goals, aims and interests. It gives a good indication, then, of the sort of life we are concerned, or perhaps ought to be concerned, to have. A need may be for something for the sake of something else, or it may be simply for something. Desires also are for something, which will be either a means to promoting some other end or a way of realising in itself the desired goal. So I can desire to eat a chocolate doughnut in order to achieve the aphrodisiac effects of chocolate, or I can simply desire to eat a chocolate doughnut in such a way that eating one will itself be the realisation of my goal (rather than this being realised only by, for example, the pleasure I receive from eating). Similarly if, as seems likely, there is a universal human need for sexual expression, I may need to express myself in this way either in order to achieve something else - for example, procreation or the sensation of satisfaction - or I may need to so express myself such that the satisfying of the need is itself the way of realising my goal. In this respect needs and desires are alike: both thread into our network of purposes, aims and goals and respect the priority within these.

In the case of our desiring or needing something as the means to the achievement of some further end whether we actually desire or need the means depends upon whether the further end is itself needed. If it is merely desired and not needed, then, other things being equal, one will desire to adopt the means to it which appear most effective, least taxing and so on. It does not, however, follow from the fact that we desire the end that we need here to take the means; neither does it follow that even if we want to take the means

to our desired end we need to take them. A desire for the company car which brings about a desire for the job does not imply a need to take the job. 'I need the job' here is never more than shorthand for 'I need the job if I desire the car'. I suggest we read this as '(I need the job if - ) (I desire the car)', and not as '(I need the job) (if I desire the car)'. That is, we should read it not as a species of needing which arises in relation to a conditional of desire, but as a conditional dependent upon the presence of a desire whose conditionality is expressed rhetorically by the terminology of needing.

Only when the further end is itself needed, or perhaps unneeded but a vastly important part of the interest of the agent, can we talk in a non-rhetorical way - a way which claims action - about needing to undertake the means to this end. And even in this case whether or not the means are needed depends also upon surrounding circumstances. In severe hunger I need to eat, but eating this pear (or a pear) as a means to satisfying this need is something I need to do only if there is no other available alternative, my digestive system copes only with pears, and so on. So there is this difference between things desired and needed for a further end: when the further end is desired, the means to it will usually also be desired, but they will never thereby be needed; only if the further end is needed (or vastly important to the agent's interest) will the means also be needed, and then only if they are only available/best available

means. Wants, however strong, are not sufficient to create needs. We should also note here the agent's privilege of identification operates only with desires. That is, if I need x and y is the best means to it, I, you, or best of all an expert can tell with equal authority that I need y. However, if I desire x and y is the best means to x, I alone can say with authority whether I desire y. The expert may rave about the irrationality of someone in this position who does not desire y, but the agent is still free and able to ignore y, and alone can accurately report on whether y is desired. This reveals a further difference: experts and rational agents can say someone ought to desire y; they cannot say he ought to need it. If he ought to need it, then he does need it, for the normativity of needs depends upon no contingent features of psychology.

The necessity involved in needing must be distinguished from what often appears to be the necessity in desiring. As I said, analysis of the situation of one who is desiring pulls us away from analysis of desire itself to questions concerning the desirer, the desired object and the importance of satisfaction of the desire. We dip into the story of how desires come about and how they operate; we tell Freudian or other psychological, sometimes physiological, stories of why they arise and how they affect us. But what we cannot seem to do is to say just what desires are. I think this is not so much a limitation in us, but a reflection of just what desiring is. We can limit or control the desires we are going to have, and we can prevent or allow certain desires becoming operative in our behaviour, but we cannot make ourselves have this particular desire now or stop desiring this now. Desire, certainly within our culture, is the ultimate explanatory ground of human behaviour. It is not an act of will; it is what will controls. Its very ultimacy, not just in action but in all behaviour, means that explanations of it can only be either in the form of causal stories concerning how particular

desires arise and operate or in imaginative form, such as Euripides' Medea. We have no other terms with which to explain what desire is. It does not follow from this either that desires appear at random, or that once in evidence, they rage. Self-control, or 'will power', the control of the forming, force and operation of desires, is after all one of the capacities we are most acquainted with. It is also not true that there is no logic or pattern to the occurrence of desires. Desires are for things in themselves or for things as means to ends. They have a certain interconnectedness. This can be compared to the much stricter interconnectedness of beliefs. One who has a certain set of beliefs must either reject a belief whose truth is incompatible with that of a member of this set or alter the set. However, one who desires to eat a banana but not to peel it even though there is no reason for not peeling it may persist in this behaviour without losing the desire to eat. In the case of belief, to persist in the inconsistent belief is a puzzle; with desire it is merely perverse or wilful conduct. The content of beliefs exercises much greater restraint over their formation than the content of desires influences the formation of desires. There is, nevertheless, a weak connectedness between desires: that is, a connectedness between the content of desires whose violation does not involve logical error but does involve perceptual or calculative error.

It should be possible now to point to various differences between desire and need which will indicate an analysis of the necessity in needing. We do not have final control over when and what to desire, or when to cease experiencing a particular desire. Desires, however, form a network with our purposes and aims by reference to which we have some understanding of how specific desires come about. Having an aim is generally desiring to satisfy it (or, sometimes, simply to desire to continue having it as an end), however the connectedness between desires is not strong enough to produce 'rules of desiring', a logic of desire. There are no desires all must share (crudely, the martyr may not desire to eat, the lover to sleep, and the morbidly guilty to die); and no one need have any one particular desire (perhaps, like Schopenhauer's will-less individual, we can even extinguish all desire). The necessity in desiring, then, is not the necessity of holding, or satisfying any one desire, or the logical necessity of desiring the means to desired ends. It must, therefore, be simply the necessity between a desire felt and its satisfaction. But since it is possible to fail to act upon any desire, what can this necessity be? The necessity must be not the necessity of satisfying a felt desire, but the felt necessity of satisfying a desire. That is, the very experience of desire has built into it a felt tendency towards satisfaction-related behaviour; it is never calm, and the object of desire is never a matter of sheer indifference to us. (In this, desiring differs from wanting or wishing that: we may want something or wish that something were the case without just now feeling the draw and pull of this thing). Although this necessity is a felt, or subjective necessity, there is no reason to question its reality: it is a disturbance of the organism at a fundamental level which impels thought and action towards the object of the desire. We can now look at the necessity involved in needing. First, could it be the case that there are some needs which everyone must share; and could it be that there is a human being who has not a single need? Everyone must have some needs. This is clear if we remember that

needs are always for something - either for the means to some other needed or extremely important goal, or for a direct realisation of some aspect of myself. Now, although one may conceivably desire nothing, it cannot be that there is nothing for which one has a need, for it cannot be that there is anyone for whom there is nothing, whether already in his possession or outside it, which is of any value, use or purpose. It is simply part of being embodied that we cannot be totally invulnerable before the world, and that we, therefore, have needs. Even if we 'had everything that we need', we would still be vulnerable and needy with respect to the preservation of what we have.

Are there any needs common to all? Here we must again differentiate needs for things 'in themselves' and needs for things which will serve to fulfil other purposes. Let us call the former primary needs and the latter secondary needs. I do not think it is necessary that all should have, even any, secondary needs. Someone, perhaps of very limited horizons, may have only a number of primary needs for the basics of life. Or someone consumed by a solitary cause or ideal may have need only for what directly realises this in her life. Such a life in which only one cause mattered, and in which the requisite conditions for living in accord with it were readily available so as not to require the intervention of secondary needs to obtain these, is, of course, unlikely, but conceivable. It must, however, be said that if circumstances brought it about that the holding and achievement of other goals would effectively lead to the satisfaction of this person's primary needs, he would be obliged to adopt these goals and so to inherit corresponding secondary needs on the way to the fulfilment of his primary needs. It can certainly be claimed that there are no common secondary needs, because their existence depends both upon the nature of someone's primary needs and deep interest and upon the exact and particular circumstances in which he finds himself. Even if there are common primary needs, variation in individual experience and abilities means that the secondary needs in which these will generally diversify themselves are widely divergent and not shared by all possessors of primary needs.

Are there common primary needs? Certainly not all primary needs must be shared by all human beings. A man with lung disease may have primary need for attachment to a respirator; some have a primary need to play music or to live in the country. These needs are primary but peculiar to a small group of people. If primary needs are not shared by all, what is the force of the implication that they refer to things needed 'in themselves'? I suggest this definition of 'primary needs': x has a primary need for p if p is necessary for the realisation of x's basic human capacities or for the exercise of these in the particular ways x has freely determined, where 'basic human capacities' is understood as 'capacities for (physical and mental) activity'. There are primary needs both for whatever is necessary if we are to participate in the full range of activities of which we are capable and for what is necessary if we are to exercise these capacities in the ways we freely choose. These two constituents are supportive and regulative of one another: without free choice direct realisation of capacities would involve so many possible forms of flourishing that the varieties of need-satisfaction required could not feasibly be met; without a theory of



basic human capacities someone who made few and limited choices would be harmed in respect of goods indifference to which would not continue as the needs for these goods were not met. The two constituents are together sufficient for the definition of primary need, though since for some (autonomous and very well-balanced) persons the first constituent will not be necessary and for some (retarded or unbalanced) persons the second will not be possible to fulfil, they are not singly necessary. On this definition most of us will have primary needs concerning diet, exercise and shelter, while some will have primary needs concerning specific food, location and health care if they are to flourish both in ways they have chosen and in the more basic, biological sense of directly realising capacities.

The question of which choices we have a need rather than some lower grade form of reason to promote is a question of self-identification. Everyone needs to be supplied with what is necessary for participating in the full range of possible activities of which he is capable, but these needs will be foregone by us, perhaps rightly, so long as we have what we need to participate in those activities we have elected to concentrate on, for whatever reason. It is in so far as we consent tacitly to the absence of many things needed because we have the things needed to do what we want to do that we reveal which of our desires refer to projects and objects which structure our selves: we would not consent to give up what we need, even if we do not want it, unless what we are supplied with is sufficient not merely to satisfy desires, but to equip us for projects which are deeply important to us. This may seem too optimistic a belief in human reason: for many, if something is not wanted, that it is needed, even if this is known, is unimportant. However, for no one, I think, is what is needed, where this is known but not desired, something which is positively not wanted: if you know what you need, you cannot be indifferent to it. To know I need something, though I do not want it, is to believe it is necessary for me and that I am entitled to it, and the entitlement and obligatoriness of this object will not allow me to accept the absence of it unless I am assured of being equipped for what is lastingly important to me and of the same depth of necessity to me. The capacity for free choice, then, (itself a capacity towards whose realisation we bear primary needs) is not a way of losing or gaining primary needs: we all have a primary need for everything necessary for the realisation of all our basic capacities. Rather, in choosing how to exercise our capacities we simply alter the pattern of primary needs so that to the fore comes, for example, the need for those things necessary for an athlete, while the other primary needs - food, water, political liberty, companionship and so on - take on a backseat status in which the individual is either content with low-grade satisfaction or no satisfaction, or looks to their satisfaction in the specific ways which serve the production of an athlete - special diet, training, new lifestyle, freedom from certain social obligations. What is general and unspecified before in primary needing becomes particular and specific, with the additional effect that what is not required as means to the chosen activities can become a matter of little or no importance to the individual. However, primary needs cannot be 'lost'. Though from 'the inside' the agent may see the new pattern as relegating many primary

needs to a status at which they no longer exercise practical necessity, from 'the outside', the viewpoint of the spectator these needs are as important as ever: the basic capacities we choose not to use, while we still possess them, require, and entitle us to, the means of exercising them because we are never restricted to a life of activity only of our own choosing. The 'outside' view is relevant in the domain of needing just because in the case of needs, unlike desires, there is no privileged identification.

The factors of entitlement and necessity or urgency in primary needing reflect this absence of privileged status. There is no privileged identification because there is no specific sensation or tug of consciousness which is need. Needs are purely formal relations between agents and goods. The distinct status of primary needs arises from their being a relation which appears to include no logical gap between the 'I' and the 'food' in the need-statement. The 'need' which joins these, because it does not specify any purpose of mine for which food is required, seems merely to iterate with urgency and with right 'I' 'food'. The relation between the terms of a primary need-statement is logically as close as it can be in a practical statement. It is this which sometimes makes it seem as if we would be better to understand needs dramatically rather than conceptually: as a cry rather than a logical relation.

We should be able to understand now the meaning of the sort of necessity which holds of primary needs. This will help us in the general project of understanding those needs whose satisfaction is required if there is to be rationality, theoretical activity. Secondary needs derive the degree of necessity they possess from the necessity of the objects of the primary needs towards which the objects of secondary needs are means. That we are, that we are constituted in a certain way, entails that we have certain primary needs - whereas nothing about us entails that we experience certain desires. Our basic capacities for participation in forms of activity and the free choices of ways in which we will exercise these entail that we have primary needs. The necessity involved in needing, then, is a function of the individual human constitution and the capacity for free choice in which we determine the particular sort of life we are to lead, one in which basic capacities are realised in this particular pattern. This contrasts with the necessity of desire which is a felt necessity, partly constitutive of the desire itself but no function of the desire's object. Needs require to be satisfied because of the connection between their objects and the nature of the needy being both as an individual of a certain sort and as an individual freely constituted.

The structure of needing implies a stronger interconnectedness than that of desires. Human beings possess a number of primary needs; given the rough equality of the capacities for physical (in particular) and mental activity (at least at the upper limits) of human beings, some of these are common to all humans who possess any capacity for activity whatsoever (a relatively healthy environment; exercise; physical space; education; free discussion and equality of opportunities and so on); others are possessed because of special physical and mental features of individuals and because of those radical or unusual free choices individuals make about how they will exercise a certain capacity through a lifetime; humans also possess a great number of specific purposes and aims the achievement

of which requires the satisfaction of a multitude of secondary needs: needs which borrow their necessity only from the more ultimate primary needs. The structure of needing, then, is much closer to hierarchy, at least under ideal conditions. The ideal of a coherent life is one in which a stable arrangement of exercise of basic capacities is maintained by free choice, thus implying stable primary needs; and aims and goals are formed substantially in accord with, and rarely in violation of, these basic ways of flourishing, leading to a stable and manageable structure of secondary needs.

Basic capacities are capacities for forms of physical and mental activity: all mental and physical behaviour which implies directedness towards objects. There are, of course other forms of mental and physical behaviour which are not activities, and which are the realisation of fundamental human capacities, but what I wish to capture with the notion of 'basic capacities' is the essential connection between human nature and activity. The capacities realised in behaviour, intentional and nonintentional, related to, for example, personal and species biological survival, however fundamental, are not capacities of human nature but capacities of an organism to constitute and support a human life. A human being's distinctive capacities concern his basic potential for various sorts of activities, and these are what I mean by his basic capacities. The simple propagation of life and survival are not the ends of primary needing: these are those ends which structure a distinctively human way of surviving and which extend also to the ways in which individual humans choose to survive and live.

(Few writers believe unconditional needs are simply the biological goods of survival, but those who do see the connection of basic needs with natures rarely succeed in specifying the form of this connection and the list of unconditional needs which follow from it. Thus Mary Midgley (Beast and Man, chapter 9) is criticised by C. Battersby (Philosophy 1980) and fails to answer these points in 'Human Ideals and Human Needs' (Philosophy 1983); she is also criticised by J. Cottingham ('Neo-Naturalism and Its Pitfalls', Philosophy 1983) for sliding from wants to needs without spelling out the more difficult content of the latter; A. Maslow is criticised by R. Fitzgerald ('A. Maslow's Hierarchy of Needs' in ed. R. Fitzgerald, Human Needs and Politics, Australia; 1977) for lack of empirical evidence and analysis of the relevant concepts in his hierarchical view of basic needs; M. Ignatieff (Needs of Strangers) sees human nature, and therefore human needs, as historical, and so, different. In his 'Conclusion', however, he hints at a 'meta', primary, need of 'belonging' which is what puts us in touch with the needs of 'our' time. However, he neither works out the relation of this primary need to the historically conditioned basic human needs, nor gives a method or account of the basic needs of we moderns, who have ceased to 'belong', and so need to understand what basic needs we must satisfy in order to recover the need of belonging. He settles instead for an Augustinian pessimism that we have gained in freedoms and possession of objects of need, but lost the liberty of knowing we exercise our freedoms correctly and the joy of satisfying needs of the spirit since we have lost any context of liberty.

G. Thomson (Needs) does try to explain what 'natural' needs are, but his analysis confuses, and it entails he cannot tell us what natural

needs there are. He claims some needs are inescapable for natural beings; these are those the being would possess even if it had been exposed to a completely different range of social and environmental factors; these needs are understood in terms of harms, which requires an account of what is of primary value to the being, which is provided in terms of that being's interests (for Thomson, the features of its make-up which structure its desires); because what is a harm for an individual depends on what is worthwhile to it and this is a contingent matter of its interests, two things follow: the connection of needs with nature is transformed into one between needs and radical individuality - the individual characteristics which would survive any alterations in the being's social history - and such needs, though inescapable, are not fundamental, because their normative necessity refers not to the type of being I am, but to my most particular, least general, characteristics, and there is no reason why I must not sacrifice these; secondly, because of the connection of needs with radical individuality, Thomson cannot specify in advance what the basic needs of anyone (except those he knows) are. What this amounts to is that Thomson's total socialising and individualising of the concept of human nature means he can have no strong account of practical reason: he cannot deduce a set of common practically necessary first principles of reason based upon shared fundamental needs, and so instead of a strong theory of moral reasoning he can only have an individualistic and inward-looking sort of prudential reasoning. By removing all trace of universality from basic human needs and suggesting that our deepest interests are purely contingent, Thomson takes both our needs and our interests out of the context of rationality which - at least for a Thomist - explains the latter and depends upon the former).

I am concerned, then, to return in an analysis of primary needing to the pattern of St. Thomas's naturales inclinationones which concern equally preservation of life, love of and care for the species, rationality and depth and degree of understanding, and awareness of the wider context of human life, rather than the restricted field of survival of the organism and the species. This analysis looks with St. Thomas to a ~~a~~ more complex, though determinate, conception of human nature than the biological or economic conceptions held by those who have approached the topic of basic needs through theory of fundamental human motivation or rights, or political and economic commitment.

The forms of activity include theoretical activity, emotional or aesthetic experiences, imaginative and illusory experiences, intentional action, physical exercise, participation in games and projects, physical and mental relaxation and so on. Since we are finite and embodied creatures, conditioned by past experience and choices, and by environment, performance of any of these activities requires that certain needs be satisfied. Uniquely of these forms of activity, the way in which we can choose to pursue theoretical activity is outside our individual control. We can choose not to participate in it at all, but if we do participate, participation is restricted by the fact that we are born into a particular community of enquiry whose intellectual debates provide us with a framework. Even the genius and the revolutionary can only surpass the given debates if they have lived through a great part of them and learned their histories, and even then they do not abandon the old



debates, but revise the terms in which they are understood. This unique characteristic of theoretical activity means that not only are the things for which we have primary needs if we are to realise the capacity at all determined by factors outside our control (as with all forms of activity), but also our individual primary needs if we are to participate in the activity in the particular ways we have chosen are outside our control. This is because our free choice to pursue the debates we do, though genuinely free, can be exercised only within the framework of those debates and that history in which we have been reared and educated: we cannot rid ourselves of the presuppositions we learned and now have; we can only expand, revise, even revolutionise these. So, no one can freely choose to realise their capacity for theoretical activity in a completely free way. Therefore, the primary needs our free intellectual choices serve us with are a function also of the intellectual debates and understanding of our community.

Now, because whenever we realise one of our basic human capacities this consists in exercising it in a particular way, chosen or not, the total specification of primary needs for realising that capacity will always be what we need in order to be able to exercise it at all + what we need to be able to exercise it in particular, chosen or unchosen, ways. As I have suggested, these do not form two different and non-interacting sets of primary needs, but a single pattern flexible enough to take account of the first-person preferences and priorities of the agent while not abandoning his deep requirements if he is to maintain in readiness his capacities for activity presently of low-grade or no importance to him. Whereas for the other basic human capacities we cannot specify in advance the primary needs of particular chosen ways of exercising the capacity, in the case of theoretical activity, because free choices to pursue it in this way are determined by pre-existing debates, we can specify for any individual both the needs to be satisfied if the capacity is to be realisable at all, and the more specific needs, the more detailed pattern, which must be achieved to exercise the capacity in particular chosen ways. We can specify the general and the specific pattern of primary needs because in both cases these are those things required if a basic capacity whose every realisation depends upon the limits of the understanding of a particular community is to be realised.

We can express this by saying in the case of theoretical activity, rationality, the capacity for free choice concerning how to exercise this capacity is itself part of the capacity for rationality. Freedom of choice concerning how to participate in rationality is itself part of the inheritance of theoretical debate and understanding which a community, often despite itself and its own standards of rationality, passes on to its members simply in virtue of being a social grouping which functions by operating, and not by merely worshipping or paying lip service to, standards of explanation and understanding.

We can, then, give a full specification of what primary needs we have if there is to be theoretical activity, rationality: a specification which is not practically useless, concerning only the general needs for realisation of a capacity, but one which is flexible enough to be applied to the reasoning of any individual agent and to provide practical guidance as to what he needs if he is to act

rationality, and which is not linked to the conception of rationality of any particular community. If we can assume the existence of the goods necessary for the supporting physical and mental activities of theoretical activity (food, oxygen, health, peace, information and so on), we are left with the question 'what is necessary if a human being is to adopt that form of mental activity in which belief concerning an object not fully known is pursued as the means of finally reaching knowledge?'. If we remember, as I said above, that this is the question 'what is necessary if a human being is to adopt that form of mental activity in which the shared beliefs of his own community in objects not yet fully known are pursued as the means of finally reaching knowledge?', the answer is not too difficult. The full pattern of primary rationality-needs reveals itself in reflection on the nature of individual human beings, community and theoretical activity.

First, it is necessary that the agent's life be preserved; not only that she live, but that she be sure of herself as leading a life continuing into the future in which the knowledge she now joins in pursuing might be eventually reached. Rationality has the dual purpose of being exercised now both in the making of particular judgements of rationality and, through this, in the creation, confirmation and revision of standards of rationality. It cannot be pursued in this dynamic fashion upon shared presuppositions if we are not certain of having a life that is enduring. So self-preservation is a primary need which must be satisfied if there is to be rationality.

Second, it is necessary for rationality that human beings live together with others in accordance with common ties. This is obvious: if rationality is found only within the context of communities, without communities and the forms of social life which lead to them there is no rationality. Basically, without a community of enquiry there is no rationality, and without a stable community life at a non-theoretical (that is, a moral) level there will be no community of enquiry. We need to be part of a community if we are to possess rationality, and we need to respect what holds our communities together - both moral and explanatory norms - if we are to exercise our capacity for theoretical activity. For even if the moral norms are false and the intellectual norms weakly justified and pursued, without allegiance to them there is no possibility of revision and revolution of them.

There are, of course, other reasons why community is a basic human requirement, reasons concerning solely morality: the attempt of human individuals to create conditions in which in the shared details of their daily lives they can communicate as individuals. Community here is not really a requirement of morality, but a requirement for morality, and for a certain sort of morality, for communication according to standards which move towards the goal of love. That is to say, it is a requirement of ethics - the understanding component in love - the requirement not for morality, but for true morality. However hard we may try to harmonise rationality and morality, we will always run up against this difference: that morality has a goal and therefore a truth independent of standards internal to particular moralities. Moral theory is realist; theory of rationality is context-dependent. Community is a primary need of theoretical activity; it is not, however, a primary need of morality, but a requirement of love the experience of which includes the (ethical) understanding that true morality is required. It is a requirement of ethics itself that there be true morality, and that all true moralities be respected. Another way of saying this is that love is not a basic human capacity in the sense intended here, it is not realised as participation in activity; its requirements are, therefore, not primary needs of human beings.

A third requirement for theoretical activity, or rationality, is one of what might be called intellectuality. Human beings must engage in some degree of reflective and intellectual thought if there is to be rationality. This entails valuation of knowledge itself. Without an increasing store of personal knowledge and a concern for this, our capacity to engage in theory would be restricted and prone

to avoidable errors. Also, our personal judgements of rationality, whether strictly intellectual or moral, will be less a fulfilment of our wills and more a matter of our moral slavery, our loss of individuality in our immersion in the ways of our community, if they do not proceed from a personal stock of knowledge, and if this stock does not provide us with a wide selection of alternative policies of thought and action. Moral slavery of the will must be avoided if there is to be rationality because theoretical activity is dynamic enquiry, not a mere reflection of set norms, and one who cannot think for herself will be unable to contribute to or understand the processes of critical development and revision of rationality.

A final primary need of theoretical activity is the need for hope or faith. If we are to persevere in activity upon shared assumptions whose truth, or whose status as knowledge, is continually deferred, or once realised replaced with new assumptions and a new search, we are required to have the sort of interest in the result and progress of theory which will withstand the collapse of desire for the goal, and of all personal conscious involvement in or valuing of the process. This sort of interest is only provided by a hope or faith in a future in which things will be as they are now, and which will also constitute a rational improvement upon the present as present beliefs will have been abandoned for beliefs of greater explanatory flexibility. This need also implies our need to see our particular rationality judgements and contributions towards theoretical activity as part of a larger context, an overall pattern of progress and advancement. The primary need here, then, is to accept that despite the ambiguity of theory as constantly deferring (or creating) as well as exercising rationality, the process of creating rationality is rational; it is progress and not blind, despite the fact that there is no independent goal it is approaching. Perhaps this is the blindness of faith which religious faith actually postulates: trust in dynamism as progress despite the belief that there is no ultimate goal of activity of which we can ever have knowledge.

These seem to me to be the goods without which we cannot join in theoretical activities based upon the shared beliefs of our communities. They can be summarised as life, community, knowledge and hope. Anything else we need in order to be theoretically active is the object of a secondary need - something needed if the primary needs are to be satisfied. One for whom these four primary needs and relevant secondary needs are satisfied can realise his capacity for rationality, and realise it after her own free choices. As these are basic to rationality - needed by any human being if she is to be theoretically active - they can be taken to ground certain methodological requirements upon the particular conceptions of rationality we form. We can claim there are structurally basic principles of theory of rationality which any conception of rationality will respect; which its first principles, no matter what these are, will include or be compatible with, and some account of which might be offered in terms of them.' If there is to be rationality, life, community, knowledge and hope must be respected' means 'any conception of rationality will include or be compatible with the following principles: 'individual lives are to be preserved', 'nothing must be done to threaten the existence or the



structure of our communities, the ones individuated by this conception', 'knowledge is to be valued, and its pursuit encouraged', 'the particular means and expressions of hope of individuals should not be taken from them, and hope in the future should be given to those who have none' '. These principles based upon needs which must be satisfied if there is to be rationality at all guarantee that even a conception of rationality not framed in terms of principles at all, but, perhaps, highly subjective, sentimentalist or haphazard will contain buttressing its limits requirements of the participation in rationality itself that certain goods are necessary.

We must note that the necessity here is not moral, and not a requirement of reason itself, but a requirement of the basic human capacity for one particular sort of activity (cf. Onora O'Neill's (Constructions of Reason, Cambridge; 1989, chs. 1, 2) views concerning the 'politics of reason' and toleration of the 'public use of reason' in Kant). It is a corollary of the view that reason is activity; all activity requires antecedent structure of some sort. The principles the primary needs entail, the result of their necessity for any rationality, are methodological and not practical. However, they have a practical application. Since any action or project dependent upon reasons or grounds denying or incompatible with these basic principles would be undertaken upon grounds which could not be sanctioned by any theory of rationality (for they would be projects destructive of the capacity for rationality itself in any form), these principles do place a limitation upon what we can do in the name of rationality. They do not, however, give any practical guidance as to what we may rationally do: there is no such guidance external to the standards and criteria of particular conceptions of rationality themselves. They simply form the boundaries within which we can ask truly practical questions, questions to which we can receive a rational answer as to what we ought to do.

It is in the character of these primary needs that none of them can be satisfied once and for all, or even sufficiently satisfied at any one time to allow us to turn from it completely to attend to other concerns. In this lies the key to understanding the structure of practical reasoning. Before we are in a position to do this we must consider the relation of these primary needs to ethics and the goods which are the requirements of ethics.

#### Morality and Rationality.

It is the basic requirement for community at an individual level, a requirement of ethics, that entails morality. This requirement, as I have said, is part of the understanding within love. It is correctly understood as the requirement for true morality, and as such it is expressed in terms of what I called the 'ethical goods'. These goods are the goods intrinsic to any true morality, any morality which realises in the experience of everyday life the experience of communication of individuals as individuals and not as any sort of constructs of morality or society. Ethics must include the demand for true morality because neither love nor human life are possible without morality. There are also, however, false moralities, moralities which are defective as attempts to live together in communities as individuals, moralities inexpressive of love. The ethical knowledge

in which the discrimination of true and false moralities consists is possible only through our own moralities, for it is only ever within the context of morality that we can experience love, the fully communicative unity of experience and understanding. This knowledge, in whatever terms it is expressed, will be simply the knowledge either that the moral life of our community is succeeding in making intelligible the experience of love, or the realisation that our morality must be altered in order to bring our practice into line with our experience of love which is presently lacking in intelligibility due to the ways in which we are living.

The knowledge about our morality is possible even though love is only understood through our morality because the understanding in the experience of love is understanding not of love as morality, but of love as ethics: love is made intelligible by knowledge of the goods of ethics which we acquire through the complex of experience of love within the context of our own moralities. The experience of love, within our own moralities, then, is sufficient to provide us with the knowledge of certain goods either as present or as needed. The experience thereby allows us to see our moralities as true or as false because it occurs within a morality which conditions it, and not in spite of this. This ethical knowledge consists in the awareness of certain goods: those objects which make experiences of love intelligible, and which are known in experience of love-within-the-context-of-morality, either as present or as needed grounds of intelligibility. The experience of love thus entails the knowledge which makes itself intelligible, and allows us to evaluate our own morality as true or false so far as, and because, this experience takes place within the context of the morality.

The 'goods of ethics', I claimed, are: respect for individuals and for true moralities; concern for family, procreation and certain sexual limitations; valuation of knowledge; valuation of privacy; and respect for all primary needs. Any true morality is founded upon these; these alone make experiences of love intelligible; experience of and reflection upon love in our particular communities reveals these goods to us. Different moralities may well produce different lists of ethical goods, but, I hold, it is only these five which determine the existence of a true morality. Any other 'basic goods' of a true morality provide information about what is vital to it, but not about its truth. These five goods have an 'objective' existence in the sense that they make (all intelligible) experiences of love intelligible; but they exist and are discovered only within particular moralities (even, in a sense, false ones - experience of love in a false morality involves knowing these goods which would make it intelligible, and which are experienced here as needed.). The goods I suggest I suggest because: all individuals and all true moralities must be respected otherwise we are not encouraging and supporting loving relationships and the social arrangements which permit such relationships to flourish; we must respect sexual relations, family and children because these concern the most commonly encountered expressions of both erotic and non-erotic love, and because they effect us in our capacity to produce and prepare off-spring capable of loving relationships; we must value knowledge so that there is constant awareness of the need to leave low-level forms of communication which imply solitariness for the

experience of communication of individuals as individuals; we must value privacy in order to guard freedom from interference - by, for example, the state or particular institutions, including moral ones - otherwise there will be no possibility of, and security in, individual relationships as individuals; we must respect and work for the satisfaction of primary needs because if human beings cannot realise their basic capacities, if they are incapable of forms of activity, there will be no possibility of individual communication (it does not follow there is a requirement to provide what is needed for every particular exercise of a basic capacity: the goal of ethics will place certain, moral, limits upon this). Unlike primary needs which I described as requirements if a basic human capacity is to be exercised, these goods are not requirements if there is to be love, full human communication: a loveless morality in which these goods are flouted will not be empty, but actually particularly full of experiences and expressions of love. These goods are requirements if love is to be intelligible; they are the means by which we explain and understand the experience of love. Love is valuing individuals, true moralities, family, the body, knowledge, privacy and human needs. When it is found in a society where these are not valued, the loving individuals interpret what is happening to them in terms of these goods, and know that their community is deficient because it lacks them. The understanding they have in love is an inherently social one, and this is the heart of the experience: they understand not just that they ought to respect these goods, but that these goods ought to be respected by everyone, for everyone exists within the context of social communities precisely in order to have the conditions to be able to communicate with other individuals on an individual level. So the goods are both the objective standards of true moralities, and the understanding of individuals who experience love. In virtue of the former they can be used to evaluate moralities; in virtue of the latter individuals understand their deepest communication with other individuals. But these two functions are not independent: through our experience we know the moral necessity of these goods, for if they are not valued in their various ways our experience is meaningless; and it is because of the meaningfulness of this experience that we live in communities in which it can be repeatedly encountered, moral communities. Now, the objects of primary needs form one element (the fifth one, above) of the set of ethical goods upon which true moralities must be founded, and which all true moralities will promote. True moralities will have as one of their concerns the satisfaction of primary needs. These include, as we have seen, those needs which must be satisfied if there is to be theoretical activity, rationality. So one of the ethical requirements is to provide what is necessary for rationality, and a true morality will, therefore, do this. This moral obligation to make rationality possible continues even if the particular conception of rationality of our community supports or condones a false morality, for first, rationality is the basic human activity and must be allowed to flourish in any exercise, and second, unless rationality, theoretical activity, is allowed to continue it will not ever alter and reach moral maturity. This result reverses the traditional view that morality is (the result

of) rationality: rather, there is an ethical requirement to aid the development of rationality.

As there is an ethical requirement to make rationality possible, it can be seen how likely it is that our particular conception of rationality will reflect the particular morality within which this requirement is respected. It must be noted, however, that there is no ethical requirement to form any particular sort of conception of rationality: the requirement is only to aid the realisation of the capacity which will develop autonomously, and where it presently does not support morality, hopefully develop to support it. Morality does not limit, conceptually, particular conceptions of rationality, however much its own end leads a true morality to hope for a rationality supportive of individual communication while it tends to the satisfaction of rationality-needs. Similarly, rationality does not limit, conceptually, particular moralities. Neither, however, can survive far apart for long as any sophisticated standard of moral explanation and evaluation will be rational, and rationality judgements will be made within the practices of social context, morality. The connection between rationality and morality, then, is not a tight, logical one, but at the level of content of norms of explanation and, in the case of morality, morality's goal.

There is, however, a tighter, conceptual, connection between rationality and ethics. Standards of explanation and evaluation in morality can be altered by the knowledge of ethical goods which can call for a reappraisal either of a false morality or of a morality dangerously close to deficiency in respect of one or more of the goods. To alter in this reflective and revolutionary way the morality and thereby the standards of moral explanation and evaluation, must be to change the conception of rationality, the norms established by theoretical activity. Moral revision, then, entails that rationality and ethics are conceptually connected.

There is also a logical relation to be spelled out at the level of practical reason. In practical reason we reason within the context of the basic rationality principles grounded upon the primary needs which must be satisfied in order for there to be theoretical activity. We have seen the requirement to satisfy these is an ethical one as well as a requirement of rationality itself. We will see that these needs are satisfied not atomically but in the structure of reasoning which never violates them. Therefore, it is in practical reason based on principles which ensure it never violates the rationality-needs that we discover the structure of the rational life (though this makes no restriction upon what the content of any particular conception of rationality may be), and it is this which forms one object of the (fifth) ethical requirement that primary needs be respected and satisfied. Of course, this is only one aspect of one of five ethical requirements, but it does serve to place practical reason, the rational life, within the moral context, and this, we should note, no matter whether the content of this reasoning is particularly 'moral' or not.

Both morality - the shared life of a community of individuals in which they ought to aspire to communicate as individuals - and rationality - participation in theoretical enquiry by individuals



based upon their shared presuppositions - are fundamental to the social vision of human life presented here. They are related not in the logical manner of the Socratic tradition, and not in the vision of reason as law, or as primarily practical, or as primarily instrumental, but through the independent concepts of primary needs and ethical knowledge, respectively the concepts which explain the principles which ground reasoning and which supply understanding of love and evaluation of moralities. We come then by a new way to the old conclusion of natural law theory: that since rationality and morality are essentially human attributes, and are linked by the facts of shared social life, human beings are naturally social and it is this which ultimately provides the standards of rational conduct.

#### Practical Reasoning.

Rational decision making concerning what to do in particular situations requires the bringing to bear of general principles of action upon very particular and changing ends and possibilities. We must be faithful to our principles yet at the same time we must involve ourselves in the difficult and chaotic world of people and their actions, events and things. Practical reasoning is the traditional name given to the way in which we bridge the gap between principles and particular situations.

Practical reasoning is based ultimately upon principles. That is not to say it does not also concern desires and wishes, but its foundation consists in principles. This is so because every conception of rationality requires the inclusion within its principles, or the protection by its principles, of the primary needs of theoretical activity. These needs are distinguished by their necessity, and this is not a felt or conscious necessity, but a feature of their connection to the way human beings are constituted or choose to constitute themselves. Their representation within practical reasoning, then, is not as desired or inclinational at all but as principles, and within practical reasoning these principles, because they are foundational to rationality, are ultimate. Other principles based on the agent's other primary needs will also occupy an essential place in his reasoning, and will be the subject of the fifth ethical requirement, but they will not be a requirement of rationality itself: their satisfaction will not be a condition but solely a result of practical reasoning.

Although we have great latitude concerning how to satisfy our rationality-needs, we cannot choose to violate them in sound practical reasoning. There is only one occasion upon which there might be an ethical permit to violate the requirements of rationality: in circumstances in which satisfaction of one of our other primary needs, needs for the realisation of a basic human capacity, requires this. This is a feature of the basicness of primary needing to human life. The cost of sacrificing the capacity for theoretical activity may be paid to enable us to pursue other forms of activity. In all other circumstances violation of rationality requirements in practical reasoning is unsound. Ethics may on occasion require us to do or hold what is irrational, but it will never require that the conditions of rationality itself be overthrown, and will permit this only in the case of preserving or developing our capacity for another form of activity.

We do then have some starting point: practical reasoning is the application of principles which are ultimately based upon the principles grounded upon the rationality-needs in order to determine what ought to be done in particular situations; no practical principles can prescribe the violation or frustration of rationality-needs, except in circumstances where this is required for the satisfaction of another primary need.

Let us begin by asking what we are actually confronted with when we come across the kind of particular situation an appropriate response to which is action. What we do not see is simply states of affairs, events to which we will 'apply' a piece of practical reasoning in order to find out what ought to be done to or with them. Rather, the situation we perceive as appropriate for acting we perceive as such only because our perception is already structured by a particular set of beliefs: those beliefs on the basis of which we reason practically. My perception of my situation is shaped by beliefs - for example, about what I or others have previously done to cause this situation, about what harms may be done and what duties owed in this situation - and by feelings - of outrage, shame, admiration or bewilderment and so on at the situation - which engage my interest because of their effects upon and implications for my desires and needs and obligations. When we have beliefs about our situation which involve possible effects upon the most important parts of our interest, that situation is said to be perceived by us as a practical one.

A practical situation will be seen not as possessing a necessary structure, but, to the extent to which we, or anything else can intervene to affect it, as possessing various possibilities for development. This is another aspect of its practicality: a/ it is contingent, and b/ our perception of it depends upon beliefs concerning our interest and to such a perception we can never be indifferent: we will always be anxious to join in action to protect our interests. My perception of how my situation might develop will affect how I view the chances of my influencing it, and will also be affected by what chances I have of influencing it. The important point about practical perceptions, then, is that they are not perceptions of states of affairs independent of the involvement of ourselves and others in them to which we then come to apply our hard-won rationality in order to clarify what our involvement is to be. Rather, in practical perception elements of our practical reasoning are already at work, not as conscious reasoning, but in tying us down, practically speaking, to some part of the world, and in shaping the ways in which our practical involvement can be pursued. In action a sharp distinction between reason and conduct is misleading: the reasoning we will undertake is a coordination of elements of the practical intelligence already engaged, not a new application of these elements to unstructured involvements. Practical reasoning is the coordination and restructuring of the elements of practical perceptions in accordance with some generalising framework. This is why practical reasoning is often considered as abstraction from our individual circumstances into the sphere of common reason, or of morality. This is seen as leaving the empirical domain of low-level instrumental rationality for the high-level realm of reason and morality. Philosophers taking this line must confront the problem of relating the efficient

rationality of self-interest to the rationality of first or common principles and the interests of others. The truth of the matter, however, is that we do not experience such a clash of rationalities at all in our practical lives. The generalising which is the mark of sophisticated - not merely instrumental - practical reasoning is not a move from egoism to altruism, but from the unmediated engagement of practical reasoning in practical perception to the full reflective engagement in which we restructure our involvement by the application of principles to which we have a commitment which predates our involvement in this situation. These principles which allow us to place our involvement in practical situations within our own control are principles of our conception of rationality, including any moral principles which are part of this conception. The generalisation of practical reason might well be from self-interest to 'enlightened' rationality and altruism, but might equally well be from thoughtless benevolence to rational self-interest, or from present to prudent future self-interest. Practical reason is not of two kinds, the simple and selfish and the complex and moral: its form is contextual, and the content of its generalising is determined by the context of situation and of rational principles. The egoistic-altruistic dualism has hampered much modern moral philosophy. Practical reasoning moves from the practical but unselfconscious and non-responsible involvement of the agent to conscious and autonomous structuring of perception through the generality of rational principles.

To find oneself in a practical situation, of whatever sort, is to find oneself with a problem. The reason it is a problem, and never merely a pattern requiring a solution like a competition puzzle, is because the beliefs which structure our perception show the possibility of damage being done to our interest and of our action having an effect upon this, and we can never be indifferent towards such a situation. There is not a single 'correct' answer to the practical situation because it is not a puzzle to solve, but a complex perception of what may be straining, or even conflicting, desires and interests over which we must come to some sort of reflective autonomy. Furthermore, after proposing an answer to the problem of a practical situation, we are likely to find this new perception simply opening up further practical situations - not a misfortune, because with practical problems it is the number and complexity of these, and not only our success in solving them, which adds to the richness and value of our lives. One way of explaining the structure of practical situations is to say that practical reasoning very often requires judgement.

Our reasoning is generalising and principled, but when principles are to be applied, and which, and to what degree, and in the face of how much opposition are questions to which often the only answers available for one who wishes to act depend upon individual judgements of personal skill and experience which go beyond rational principles. In the terminology developed, they are part of moral understanding. Such a judgement is only ever more or less a good one, and may be a bad one: may produce more and greater problems than it solves. My point is that judgement is greatly assisted in its work because, since any theory of rationality must be based upon the satisfaction of primary rationality-needs, and since any

perception of a practical situation will reflect the agent's conception of rationality at least to the degree that it reflects his interest part of which consists in his primary rationality-needs, judgement has this to go on: good judgement must not ignore but must try to make more specific in policies of action the general structure of rationality-needs which it will find reflected in the agent's practical involvements and to which it will find the agent disposed in so far as he is rational, in so far as he adopts the perspective of his own first principles of rationality. The interplay of generalisation through bringing to bear one's principles of rationality in an attempt to gain reflective control over practical perceptions (control which reveals to us what we can and ought to do), and particularisation through using judgement to make specific and relevant the objects of primary rationality-needs and the implications of principles of rationality, both of which are already involved in our initial unreflective practical perceptions, give practical reasoning its 'practical' character. Practical reasoning moves from the particular to the general at the level of rationality and principles, and from the general to the particular at the level of making specific for action objects of rationality-needs and 'goods' referred to in rationality principles, both of which are already embedded within practical perception. Building up perceptions into new arrangements, exercising individual judgement and the constant interplay between generalising and particularising the pattern of our involvements are all expressions of our creativity in the field of teasing out value, of making our contributions to the part of the world we can have an effect upon as telling as possible. The tension between the way things are and the way things ought to be within these fundamental features of practical reasoning suggests the necessity of conflict, disagreement, and disharmony if we are to sustain practical reason. If there were only a single way in which a situation could develop, and no place for the subtleties of judgement, increased self-control and generalising interplay, the situation would not be a practical one: it would not make its appeal to human beings in their faculty of practical reasoning, their perceptual faculty, the seat of their interests, but would only appeal to their intellectual faculties and their understanding. Restructuring, judgement, particularisation and generalisation exist only because practical perception is a problem, and one which has no final, or true, solution. Without internal conflict and the perpetual possibility of this, practical reason could be replaced by a simple form of theoretical inference, hierarchical deduction of means to ends. This is quite conceivable, but not desirable, for with it would come the loss of our practical and human perception of situations, to be replaced by an instrumental and unadvanced form of perception. All perception would be reduced to the level of seeing: 'in this situation pursuit of rationality would be the getting of x or the getting of y as an eventual means to the getting of x'. Without practical reasoning action would become only a means of pursuing rationality, and not of exercising rationality in pursuit of valued and desired ends.



A substantive theory of practical reasoning can only be given within the context of a particular conception of rationality, and I am not presenting that here. However, because of the universality of primary needs and ethical goods, it is possible to give some general outline of practical reasoning. First, because practical reasoning concerns particular situations and is undertaken by individuals, it is inevitable that the agent will see those of his own interests involved in the situation as requiring special attention. Basically, we experience within our perception of practical situations, as a subjective limitation upon our actions, the felt necessity of doing what will lead to maximum satisfaction of each and every one of our ends. This limitation is spelt out by the agent who consciously constructs his own or another's reasoning as principles of rational choice requiring that we do not harm ourselves in respect of important ends, that we adopt means which will satisfy several ends rather than one end, and so on. Such a making conscious and rehearsing of practical reasoning is not necessary, but when undertaken will make great use of such principles derived from the subjective limitation upon action that we look to our own ends first.

Further subjective demands which practical perception places upon agency include consistency, which again the reasoner or spectator may spell out as principle: we must be consistent in our conformity with the basic principles of our own conception of rationality, or indeed in our flouting of them. The demand for consistency arises from the fact that we lead a continuing life - connected by memories and by intentions and emotional states to past and future - and the effect of knowing this upon the reasoning of one who has practical perception. Another demand is that for flexibility: practical reasoning is not deductive or determinate, but a reconstruction of perception, therefore there is no final guarantee that we have 'got it right'. We should be ready to alter our practical judgements, however unwilling, and should thus have a certain detachment from them. The subjective requirement for flexibility arises from the subjective experience of reconstruction, the generalising rather than inferential pattern of practical reasoning, which shows that we are solving a particular problem merely by changing our perspective and not by apprehending some truth. Another requirement is equal concern among our basic rational principles. If the 'goods' to which these point, and also the objects of primary rationality-needs, are plural as well as truly basic, they will be incommensurable. Respect, then, for the principles which ground our generalising strategy in practical reasoning is as necessary as prior respect for the parts of our self-interest involved in practical perception, and this respect will be equal among basic principles.

Many more requirements of reason could be listed, but as these become more specific, it becomes obvious that they are to large degree the consequence of adoption of particular conceptions of rationality. There is, therefore, no point in producing here a fuller list. It should be remembered, however, that in practical reasoning it is generally mostly through consideration of such principles as consistency, self-satisfaction, pursuit of pleasure, flexibility and so on that we solve problems by restructuring practical perceptions. It is rare for us to actually become consciously

involved with the objects of needs and the goods of basic principles of rationality which are the objective features involved in practical perception which we are trying to articulate in our particular solution to the practical problem. Subjective requirements of practical reasoning are as deep as most of us generally need to go: the principles and details of our own conception of rationality are rarely transparent to consciousness in practical reasoning.

These informal subjective principles are the means by which our unreflective involvement becomes full and reflective engagement with the problem. The solving of a practical problem is actually the conscious movement to the generalising stance of principle and the particularising stance of objects of principles and needs (together, the stance of autonomy), from the not fully conscious stance of initial involvement in a practical situation (experiencing a sort of practical perception not fully within our own control). This conscious movement of thought in practical reasoning, is not usually the effect of applying basic rationality principles and striving for objects of primary needs and of principles themselves, but rather is the activity of applying the informal principles we raise on the head of subjective requirements of reasoning, the limitations upon our possible actions whose necessity we encounter in our practical perceptions. Basic rationality principles, needs and goods, then, are usually the result of practical reasoning, from informal principles of practical reason, and do not themselves constitute the operation of practical reason: they constitute the stance of one who has performed sound practical reasoning. This is not to say that their role in practical reasoning is never conscious and active. In moral reasoning, for example, needs, goods and principles are often explicitly at work. However, in most practical reasoning what is conscious is the restructuring of perception in terms of principles and needs, but by informal and subjectively grounded principles.

My theory is not 'another' theory of rationality. However, it does contain a theory of one part of the structure of human nature which constrains any possible conception of rationality. Human beings have basic capacities for activity, including theoretical activity, rationality, which confront us with the necessity of satisfying certain needs. These needs are not - though they can be - the objects of theory of rationality. To speak of satisfying them is to speak of leading a life in which life, community, knowledge and hope are the boundaries of rational choices. A rationality which preaches them (cf. Midgley, Beast and Man) is empty because it preaches only the conditions of its own existence, and this is to make the object of rationality rationality itself and the preservation of rationality. These primary needs are never satisfied once and for all (cf. A. Maslow, Motivation and Personality, New York; 1954, p. 58), but they must in their own way be satisfied because there is an ethical requirement to this effect. This special sort of satisfaction can be understood from the experience of practical reasoning in which the very general and unself-conscious pattern of these needs, and of others, involved in our perception of a practical situation is made more specific, usually not through a making conscious of these needs themselves, when we reflect on our

practical involvement in context of the principles of our conception of rationality. This autonomous determination of practical involvements is the heart of practical reasoning. It suggests that satisfying rationality-needs is not something which can be accomplished, but is the leading of a life in the practical situations of which these needs are constantly brought to reflective and specific prominence through the various ways of restructuring perception by principle or by judgement.

It cannot be too highly emphasised that we can produce no stable or universal calculus for practical reasoning. This is first because of its creative operation as the re-structurer of perception. It achieves its results as creative solutions to problematic perceptions. This often involves personal and skilled judgement for which no fixed or universal algorithms can be given. And second because of the fact that the basic principles through which we pursue practical reasoning depend upon particular conceptions of rationality. Restructuring perception is not only specific to individual human beings, but also, in important ways, to different communities. Since basic rationality principles differ with conceptions of rationality, and these differ with communities, initial perception of practical situations cannot be specified independent of particular rational frameworks, and therefore no fixed practical calculus can be advanced.

This is as much as we can say about practical reasoning without committing ourselves to a particular conception of rationality. At the most, we might say that what has been said here is a 'pre-theory' of reasoning: it concerns nothing substantive, but the nature of practical reason given the structural relation of rationality and needing. There is much which could still be said about the operations of reason concerning exactly which means we ought to take to do what we have decided ought to be done. This topic, which forms the largest contribution of modern analytic philosophy to the question of practical rationality, is less interesting, and much less a manifestation of a particularly human rationality than a sort of simple theoretical efficiency calculation which could be reproduced by agents not at all like ourselves. Questions of success and failure in such reasoning would form a supplement to my work. However, these questions concern a different set of problems from those which I have been discussing.

Appendix 1.

MORALITY'S GOAL

LOVE

Experience ← Understanding

LEVEL ONE

ETHICS

Communication of  
Individuals as Individuals

Ethical  
Goods

LEVEL TWO

MORALITY

Practices and  
Institutions

Moral

Understanding

Arrows indicate the direction of explanation.



## Appendix 2.

### The Problem of Abortion.

It will help to clarify my account of morality by illustrating it, in the only way in which it can be illustrated, with discussion of a problem for agents within our, my, particular morality and discussion of how within this morality we can go about solving the problem.

There is a moral problem of abortion. It is a problem because people concerned with abortion, personally or professionally, regularly ask 'what should I do?' where this is not simply an appeal for a statement of what is usually done concerning abortions, but an appeal to existing standards for guidance. That is, this appeal is not for an answer to be handed down, but for a principle to be advanced upon which the agent may rely and which gives her a basis for making a decision of her own concerning what to do. The appeal, for anyone aspiring not just to know an answer but to answer a problem for herself, is not solely either a rational or a moral appeal. However, when the problem is a personal one, the appeal is usually and primarily a rational one - 'what do I (really) want to do/what would it be best for me to do?' - and secondarily, often only after the initial decision is taken, a moral one - 'what ought one, and especially I, to do here?'. Appeal to morality is generally secondary when we have a personal problem not because morality is 'too theoretical' in the first instance, but precisely because morality is not primarily theoretical, and the first human involvement is always theoretical. The appeal to rationality is first to the 'dominant conception', the norms of rationality we share; this is inevitable. The moral appeal is to the practices and forms of understanding in which we share in everyday life, and which we recognise as our morality. Even moral problems, then, are first problems which appeal to rationality, and only secondarily to morality when we recognise consciously the claim of morality to be the correct branch of discourse to provide a solution.

The more savage and intractable moral problems owe their difficulty to the falseness of an agent's morality, or the intervention of rational norms in her moral practices and understandings, or the tumultuous interaction of elements of one morality with elements of another. To all moral problems there is a solution: there is never not something which is an ethical answer. Serious problems result from rationality/morality or morality/morality conflicts which obscure our understanding of how conduct in accordance with a true morality is an expression of the loving experiences it promotes. An appeal to our rationality about abortion, where the specification of 'our' is something like western, capitalist democracies, is an appeal to a conception of rationality which in the area of choices affecting others has as a fundamental norm the principle of persons and what is due to them. That is, we have a concept of the person which functions as a rational norm in cases of action affecting the fate of others, and this norm places a limitation upon our rational actions. Other fundamental norms of our conception of rationality - principles of self-advancement and economic independence, or righting severe injustices to disadvantaged individuals and

groups, of duties to the developing world - seem to exist alongside this norm and to be fairly comfortably made consistent with it by informal theorists and social leaders as well as by philosophical theorists. This concept of the person is historically a Christian understanding of human life: wherever human life is, and whatever form and character it has, that is a human being, and human beings function as fundamental norms in practical reasoning.

This is the concept which the Catholic Church maintains and makes quite fundamental to so much of the practical reasoning concerning others which it promotes. Where there is human life, that is, from conception onwards, be it in the womb, or in the form of baby or adult, or suffering mental and physical defects, or perfectly healthy, there is a complete human being because, 'any discrimination based on the various stages of life is no more justified than any other discrimination.' (references to Let Me Live, Declaration on Procured Abortion, confirmed Paul Sixth, 1974). The very first fruit of conception is a human being lacking nothing because the level of life that is its humanity is 'a level of life that is more profound (than temporal life) and cannot end.' Quite simply, 'it would never be made human if it were not human already.' The Church argues that since a human being is present from the moment of conception, and 'the child itself, when grown up, will never have the right to choose suicide', then 'no more may his parents choose death for the child while it is not of an age to choose for itself.' This existence, beyond appearances, of a human being at conception means that the traditional prohibition of unjust killings is extended to all human life, and that instead of upholding a fundamental norm forbidding the unjust taking of human life, a norm of injustice, the Church tends to uphold a fundamental norm of persons: of respect for human life, for human beings as such. This is the thinking upon which the Church proclaims abortion and infanticide to be 'abominable crimes' (Gaudium et Spes, Pastoral Constitution, 51).

This conception of a person, though now not commonly with its Catholic justification, is a fundamental norm of our rationality. It is clear to me that whatever other basic principles we possess, we do possess the principle of absolute respect for human beings, even at a level 'beneath' their temporal lives and psychological individuality, though many of us have lost the theological vocabulary for making this level intelligible. It - and here we have to remember it is itself a highly moral conception for us - exists along with another conception of the person which for many is embedded in our specifically moral practices and forms of understanding and explanation. This is the post-Cartesian, empiricist concept of personhood as an attribute of a human being; a personality, a developing character for whose present stage of development the individual has certain responsibilities. Paradoxically, though I believe this is the concept of the person currently embodied in practices and habits of treating individuals and in the structures of political, legal and welfare institutions of much contemporary morality, it is much less 'moral', at least less likely to excite moral emotions, than the, above, rational, conception.

We must recall here that morality is very much a game-concept; a concept whose vagueness is its virtue. Morality is equally a particular tight system of formal social patterns and institutions

( what we might call an etiquette, or a bureaucratic morality ), and a broad cultural range of habits and forms of explanation which ignores social, national and denominational boundaries. When I speak of the concept of the person embodied in contemporary morality, I mean that it so happens that it is enshrined in the practices and used in the explanations of a number of moralities, of different sorts and extent of membership, which agree, or which merge in at least this respect. These range from the broad morality which is the culture of the economically developed democracies to the morality which is the formal dogma of the Catholic Church to the morality which is the responses and customs of the United States' fundamentalist to the morality which is the 'lifestyle' of the English 1980's money-professional.

The particular complexities of the problem of abortion arise because the rational appeal obviously cannot be only to the rational norms which in our case include the norm of personhood (person 1), but also must be to the moral conception, person 2, insofar as this aspect of morality is functioning as a factor within present day theoretical enquiry concerning action likely to affect others. To the degree to which our moral understanding is a matter of concern and enquiry to us, it enters our rationality, the exercise of our capacity for theoretical activity. It is certain that person 1 has been for a long time on the way to being replaced with something like person 2. This is partly due to the demise of the churches, decrease in religious habits, the fragmentation and decreasing membership of particular moralities, and sustained, unpoliced technological advance. We have not yet, however, reached the stage where it is a principle of our rational beliefs about conduct that humanity alone is not sufficient to entail inviolability but requires an additional attribute of personhood which human beings may not possess. The two conceptions of the person, then, frequently clash in our rational appeals depending on the extent to which our morality is an object of rational concern to us.

There are also difficulties with the moral appeal lodged in the question of one trying to solve the abortion problem. A morality which awards an important position to person 2 may be affected by the influence of other surrounding moralities which do not do this, or which attach importance to concepts incompatible with person 2. This is a consequence of morality's game-nature, the porous character of its boundaries. Also, the morality will be conditioned by the effect of the ethical requirement that we be rational - that we adhere to the norms of rationality. Where the rational norms do not cohere with the principles of our moral habits, we will feel the obligation to play our part in developing harmony. The more mixed and complex our community in respect of its rational and moral roots - the richer the assortment of moralities and the more intense the theoretical involvement of its members - the greater will be the difficulties of one suffering from the abortion problem. Our membership of different communities, and the claims of communities to have us as a member, will certainly torment unless we live at a time of progressive moral and moral/rational harmony or unless we make this a central aim of much of our personal decision making.

If we accept that our society is a complex structure of communities, and that a decision in the problem of abortion is

difficult because of the incompatible concepts of the person and the other moral and rational complexities I have described, how, typically, would we go about making such a decision? The key to this is that moralities can be evaluated by some standard external to themselves, but rationality cannot be. The response, or responses, we find ourselves or others making to our moral appeals can be judged a/ rationally, by appeal to elements of our conception of rationality, and b/ by ethical assessment of our morality through our knowledge of ethical goods and the standard of the communication of individuals as individuals. Now, it is a consequence of my thesis that rational criticism of morality entails of itself no necessary alteration of the morality: it is always possible to ignore rationality and pursue morality. How could it not be possible? So, the value of rational criticism here cannot alone be relied upon. However, ethical criticism cannot be ignored because it is criticism of a morality as deficient with respect to what a morality is.

We must note that the object of such criticism is not a moral judgement, but a morality. We do not assess an individual judgement because what concerns us are the reasons behind the judgement, the basis on which it has been made. The moral judgement does not typically contain within its form its own justification, and it is the principles of this justification that we must assess in order to assess a judgement. Evaluation of a moral judgement, then, is actually evaluation of the practices and explanations which justify it in order to discover if this justification is one which makes the judgement sound. If the morality which justifies a moral judgement implies or sanctions a loss of, or diminution in, the respect of others for individuality and true moralities, the existence of family life, value of procreation and sexual discernment, the values of knowledge and privacy, consideration for the primary needs of others, then the morality is false, and the judgement unsound to the extent to which its justification is based on false principles.

There is a great deal of vagueness here: in the way in which the morality implies violation of ethical goods; the nature and degree of relevant harms; the form and consequences of respect; the specification of the extent to which true moralities must promote each of these goods. This vagueness is essential if we remember a/ that the ethical level cannot be specified except through the terms of a particular morality, and b/ we cannot specify in advance of, or outwith, membership of a particular morality what the form and features of that morality are. The way in which the goods are morally interpreted, the extent to which they must be pursued, the ways in which action fails to show respect can only be specified inside the limitations of a particular moral context. It is worth making clear that even in the context of a particular morality what we ask is not 'does this practice respect this good?', but 'does it fail to respect it? Is the achievement of such and such a good incompatible with, or judged incompatible with, the pursuit of this practice?' We seek to show departures from respect and not to detail requirements of respect because of the impossibility of providing moral specifications outside of the morality in question. In the case of our morality, if it justifies the judgement that the woman ought to have an abortion, we must ask whether the



reasons for this are, or are judged, incompatible with respect for individuality and the other goods as these are interpreted in our morality. This evaluation we will perform, depending on our own characters, either more at the level of our experiences of love, or more at the level of our ethical understanding.

If the area of morality which we examine fails in its expression of respect for any of these goods, and it is the justification of the moral judgement, then the judgement is unsound because based on false principles (If the moral practices in question have affected the formation of the judgement, it is thereby unsound; if they have not, it is unsound because it lacks, so far, moral justification).

I certainly believe that there are presently, and have been in the past, circumstances in which person 2 plus other fundamental principles justify the abortion decision and the morality of which these are part does not entail relevant violation of the ethical goods. There are also situations in which the circumstances of the woman means that this morality cannot justify the decision to have an abortion not because the practices and principles are in themselves objectionable with respect to the ethical goods, but because they are objectionable with respect to the goods in that they make no provision for adjustments in the face of particular circumstances. That is, where the morality justifies the abortion decision, as it has done, in later pregnancies, in cases of medical interference or interference by the state through the financial and other constraint of women's choices, in cases where relevant parties suffer from ignorance or serious family difficulties, or in which the basic needs of some individual are not considered, then, even if it has previously appeared true and, in different circumstances, capable of implying sound judgements in the abortion problem, the morality shows itself to be false in its principles regarding abortion. It implies lack of respect for individuality, family life, privacy, knowledge and needs.

What this means is not that a morality requires prescience with respect to all possible human contingencies in order to be true and capable of justifying moral judgements, but that any morality, even if apparently true, must constantly be the object of ethical evaluation in order that it can adjust and alter itself to the changing concrete, particular situations of its members. Moralities not only have fuzzy boundaries, but their boundaries are 'set' reflectively by their members in response to constant ethical evaluation.

The major complications begin when we remember most people will not want this decision to be issued automatically from impersonal calculation of current morality and their circumstances, but will want to themselves make it, to make it rationally. They will do this either by forming a decision concerning the abortion in question based upon rational norms and then comparing this with their, quite autonomously formed, moral judgement for consistency, or by applying practical reasoning to the moral principles embedded in their moral practices and understandings in order to discover whether these are not only ethically acceptable (true), but also rationally justified. If they are rationally justified, they not only justify the moral judgement concerning abortion, but justify this to the reasoner.

It is for this reason that the rational appeal is typically merged with the moral appeal. The agent wants herself to make the moral response: she wants it not only to be a sound judgement, and from a true morality, but she wants that morality to be hers and the judgement made by her. If she wants the judgement not only to issue through her but to be her own, she must herself be in control of its formation. She must propose and believe the premises, collect the relevant evidence, form the judgement using relevant skills, and believe in it. That is, she must perform the appropriate piece of practical reasoning in the context of this situation in which her action will affect others.

We should remember that not all the cases in which we make a moral judgement have the character of practical reasoning. We need not believe the premises, collect information of relevance to us or believe the conclusion. We can merely report the judgement, having formed it more or less unthinkingly in accordance with the practices which we, more or less unthinkingly, adhere to. Personally, I have until recently so formed my moral judgement on the subject of contraception, based upon Catholic morality, and filtered unthinkingly through practical reason.

However, interest, personal or professional, in the abortion problem is unlikely not to be also an appeal to rationality, and to rationality first, or an embedded appeal to rationality through moral practical reasoning. Whether the appeal is directly to rational norms or to moral norms requiring practical reasoning, the same question of the conduct which rational norms imply is what is at issue. Their implication, unlike the moral judgement, cannot be something I can unthinkingly accept, because the rational norms have validity and intelligibility to me only so far as I have involvement with them as standards and methods of enquiry and explanation. Part of the problem of joining relevant theoretical activity is that beginning with my accepted norms, I am not required to take these as indubitable starting points but am encouraged to suitably explore, even alter, these in connection with perceived facts of my situation. What I am required to do in bringing conduct into accord with rational norms is to consider the ways in which forms of conduct which suggest themselves will be reinforcing and confirming the requirements of the dominant conception and the pattern of satisfaction of conditions-for-rationality (the 'rationality-needs') associated with it. I must then ask whether this reinforcement and confirmation, and in particular the ratio of satisfying rationality's requirements to its conditions (the needs), appears to accord with the perceived character of my situation as I perceive this in the light of present rational norms. Depending on the answer to this, I may in my conduct confirm the rational norms, or initiate revision of them.

In contemporary thought about abortion one of the starting points we have is the principle based upon person 1 that the unborn child, as we refer to it in the light of this principle, be not killed. Person 1 is now always in process of more or less radical reinterpretation due to technological and medical developments, and may not survive for much longer, but so far it is still a norm in that part of our rationality concerning conduct that will affect others that abortion should be avoided, and that where it is performed the conditions should be perceived as 'special' or

'extraordinary', like excusing conditions at law, rather than as normal and foreseeable. It may be that our circumstances - moral worries about population, lack of income, heavy demand on housing, emotional disturbance - the perception of which may have person 2 as a contributory factor, imply that following person 1 here is prejudicing principled action over important perceived facts of need, desire and emotion. Then the rational principles involved should and will be altered by me to accommodate the demands of my situation. Such alterations when they are common and have support will lose the accompaniments of guilt and shame and issue as revisions in the conception of rationality. The important point is that the rational response cannot be merely 'read off': if we are to make a rational decision, our 'use' of rational norms is an actual involvement with them in which we may well find ourselves reconstructing them.

When the appeal is made not in practical reasoning but directly to rational norms, there need be no moral involvement - just as there can be a straightforward moral appeal and moral response returned without rational involvement. Even when our perceptions require that we revise rational norms this is possible without appeal to moral norms: the perceptions need not involve any perception of facts about human communicative relationships. In this case the rational response and the moral response which has been returned may clash. This happens frequently in the abortion debate, where it is intelligible as the clash of person 1 with person 2, and there is no reason here why we ought to ignore either the rational response or the response of a true morality. As things stand, this is an example of irresolvable conflict; there is no neutral criterion of personhood which might solve the issue for the alternatives at issue are two different concepts of person and are instantiated and understood in different sorts of ways. The only course is to consider whether the rational response violates any of the ethical goods - there are many circumstances where preserving the life of person 1 might do this - and if so to reject it. However, this moral solution is obviously not rationally required, and we are open here to rational self-criticism. This raises the question of how important this is, which I do not want to consider here. If, however, no ethical goods are violated, this strongly suggests the existence of another, background morality exerting strong influence through my rationality, and one incompatible with my own morality. There is a moral conflict.

My approach to moral conflict is that it is a conflicting case of membership of two or more moral communities. It then becomes a straightforward matter of self-identification. This, I think, must be the case since morality is a game concept. There can be no strict demarcation between moralities, and therefore no sharp resolutions of moral conflicts, but only acts of self-identification - itself a moral concept.

When the appeal to rationality is in the form of a moral appeal which we are attempting to make a piece of our practical reasoning, the appeal always entails ethical commitment a/ because we must evaluate, ethically, the morality as true, and b/ because our practical reasoning depends upon principles of rationality which entail a certain pattern of satisfaction of rationality-needs which is an ethical requirement (practical reasoning here is not

sufficient for revising rational norms; the pattern of need-satisfaction these embody is therefore not in question here, but rather relied upon). In this case, we are not merely assessing the impact of our moral judgement upon rationality, but considering whether and how it satisfies the principles of rationality; whether it is compatible with the satisfaction of rationality-needs which our conception of rationality embodies; and whether as well as its ethical acceptability it is part of a system of morality which implies a rational (by our rationality's terms) coordination of responses to particular, concrete situations with our theoretical involvements.

In practical reasoning concerning the problem of abortion we must a/ bring into reflective prominence the particular structure of satisfaction of primary rationality-needs our conception of rationality upholds; b/ bring into reflective prominence the requirements and implications of our rational norms; c/ compare the suggested moral judgement to rationality-need satisfaction and the satisfaction of the requirements of the norms; d/ if the two elements in c/ are compatible, consider whether the particular understanding of the ethical goods in question, the morality, is a rational solution to the problem of balancing our theoretical involvements, our rationality, with our moral life (d/ is necessary for otherwise we are merely rationalising an isolated decision; if we are actually to make the judgement in the course of our practical reasoning, irrespective of whether we have made the same judgement before on different grounds, we must consider the grounds of its justification in relation to our rationality). Having done this successfully, we will have a moral judgement which is rationally acceptable, and which is representative of a morality compatible with our rationality. We may then as a conclusion form this moral judgement - perhaps for the first time; perhaps for the first time rationally.

However, we may not. Even if the reasoning is successful - and it is notoriously difficult to bring off either in philosophy or in practical life - we may fail to form the judgement. External fears and factors may intervene - passion, apathy, moral weakness in the face of decision, ignorance of the rationalising of the judgement being sufficiently complete. Or we might simply feel that though compatible, our rationality and morality are just too far apart for us to make a rational commitment to the judgement without suffering symptoms of rational betrayal, or 'intellectual weakness' in resorting primarily to morality in questions of conduct affecting others. Of course our reading of certain over-intellectualist philosophers may help to fuel these prejudices. When the reasoning is successful, however, we have reasoning proceeding from a true morality by means of the principles of the rationality the agent professes and participates in, and the possibility of this outcome is enough to inspire the personal, if not the professional, search for moral practical reasoning.

I will give an imaginary sample of such reasoning concerning abortion, which, I hope, is the reasoning I would have myself to take given involvement in such circumstances.

A/The theoretical enquiries in which I participate, the norms of rationality from which I reason, entail as the form of their satisfaction of rationality-needs that reflection and enquiry ought



to be pursued tirelessly but not as mere means to knowledge-accumulation, but as the best way to an understanding of all the human life-processes, in particular, the reflective capacities; that is, they ought to be pursued as the best expression of, and reinforcer of, hope in our own future; they also entail that life should be valued very highly, but that where life is secure, individualism ought not therefore to be encouraged, but rather we should turn to the quality of life of the whole community and surrounding communities.

B/ the particular requirements and implications of rationality for me are that my life should go forward, particularly in its intellectual and creative aspects; that no harm should be done to any human beings, where harm is determined by western professionals whose job this is; that all conditions, especially chronic loneliness, from which human beings suffer should be tackled by governments who give this equal priority with economic prosperity; that intellectuals engage in the task of demonstrating the compatibility of material prosperity with the values in terms of which we understand ourselves and others; that scientists be paid and equipped to expose and replace all pseudo-science within our technological world.

B/ is no list of 'objective goods' but simply the contingently determined list of basic norms of rationality as I represent them to myself. A/ is how I understand the conditions which must be satisfied if there is to be rationality. A/ is inevitably determined by the content of B/: it is the set of self-reflective norms of rationality. In my imaginary reasoning I would have to compare to A/ for compatibility and to B/ for satisfaction a certain proposed moral judgement(s) to the effect that in these her/my circumstances the woman concerned ought/not to have an abortion. Having found a straightforward compatibility of abortion in these circumstances with the ends which A/ and B/ express, I would go on to consider whether, by the terms of A/ and B/, the (true) morality which justifies the moral judgement is a rational solution to the problem of balancing rationality, theoretical involvement with the norms of B/, with morality, the understanding of communication of individuals as individuals in particular, concrete situations which the morality articulates. If the morality does indicate by the terms of the principles of rationality a form of community life in which rationality and morality are balanced, I/she may form the moral judgement as the conclusion of our practical reasoning. I would certainly then have as high a degree of the rationalising of a moral judgement as is possible. For completeness I will indicate outlines of morality which I would use in this imaginary reasoning.

C/ The understanding of the ethical goods that my morality gives me is that a/ individuals and customs ought to be personalised and localised as far as possible, and alternative true moralities ought to be learned from, and where more successful than ours, their principles adopted; b/ the nature of the family ought to be studied and suggestions made concerning how those who do not or cannot lead a family life in our present context might be enabled to share in the benefits of this irreplaceable framework and foundation; also such studies should examine the best ways and numbers, for all concerned, of having, rearing and educating children; c/ the state ought to define privacy over property as the pre-eminent legal

norm;d/society ought to allow knowledge to be pursued even, and especially, where it is not clear what this is for, and should encourage this;e/the primary needs of individuals should be satisfied not as one item within the political agenda, but, as the concept of such needs requires, by a constant vigilance against their violation in the processes of decision-making.

Assuming a moral judgement that an abortion ought to be procured is discovered by me to be compatible with A/ and B/, I have the task of determining whether C/ is compatible with A/ and B/ by their terms. I must ask whether the understanding C/ provides is both a particularisation of the principles of theoretical activity and the satisfaction of rationality-needs as these determine the relation of rationality to morality within my life, and a generalisation of these to the level not just of one aspect of life and community, but of determinants of harmony of rationality with morality. If it is, the judgement in favour of an abortion is not only morally justified, but a rational decision, in virtue of my practical reasoning. If it is not, the moral judgement is not one I am rationally required to make.

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